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GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

VIA DROP BOX

December 20, 2016

Heather Halsey, Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814



**Subject: Response to Request for Additional Briefing Regarding Test Claims 10-TC-01 (San Mateo County), 10-TC-02 (Alameda County), 10-TC-03 (Santa Clara County), and 10-TC-05 (City of San Jose)**

Dear Ms. Halsey:

The San Francisco Bay Regional Water Quality Control Board (Regional Water Board) has received your December 2, 2016 request for additional briefing regarding Order R2-2009-0074, Provision C.2, pertaining to Municipal Operations. The Commission on State Mandates (Commission) has consolidated the hearings for the above-listed claimants. However, the only claimant that submitted a test claim on Provision C.2 is the City of San Jose. (See San Jose Test Claim Transmittal Letter, at p. 2 [Nov. 29, 2010].) The Regional Water Board respectfully requests that the Commission clarify what authority makes such additional briefing necessary or appropriate at this point, since the Regional Water Board has already responded to the only test claim that was submitted.

Should additional briefing be necessary or appropriate to adjudicate San Jose's test claim, the Regional Water Board requests that the Commission first require the co-permittees to specify whether they are similarly situated to San Jose and, if not, to provide detailed information about why Provision C.2 constitutes a new program or higher level of service as to them.<sup>1</sup> In the alternative, if the Commission finds it necessary or appropriate for the Regional Water Board to respond to the December 2 request in its current form, the Regional Water Board requests a 90-day extension of time to respond. The Regional Water Board recognizes this is a lengthy extension that will require an extension of the proposed hearing date, but the Commission's request essentially asks the board to respond to claims that have not been made.

**I. No Additional Response is Necessary or Appropriate Because Each Permittee Implements Provision C.2 Differently and Commission Staff Previously Agreed that Other Permittees Are Not Similarly Situated.**

On September 21, 2016, the Commission notified parties of its intent to consolidate Test Claims 10-TC-01 (San Mateo County), 10-TC-02 (Alameda County), 10-TC-03 (Santa Clara County), 10-TC-05 (City of San Jose) (Comm. Request for Additional Briefing, Notice of Consolidation of Test Claims 10-TC-01, 10-TC-02, 10-TC-03, and 10-TC-05, and Notice of Tentative Hearing Date [Sept. 21, 2016].) The letter

<sup>1</sup> The Regional Water Board reserves its right to assert the statute of limitations bars any late-filed test claims, that other permittees are not similarly situated to the City of San Jose, or otherwise to respond to additional information submitted by permittees.

stated, as the basis for consolidation, that the claims “are based on the same permit/executive order, share many of the same alleged mandated activities and costs, and contain numerous common issues and allegations. In light of these similarities and to ensure complete, fair, and timely consideration, these claims are now being consolidated for analysis and hearing pursuant to the executive director’s authority under section 1183.5 of the Commission’s regulations.” (*Ibid.*) Only San Jose’s test claim addresses the municipal operations requirements of Provision C.2. By its own terms, the City’s test claim appears limited to the City itself or, at most, to any costs shared within the Santa Clara Valley Program, presumably because other permittees are not similarly situated. (Narrative Statement, p. 39, V. Statewide Cost Estimate; see also City of San Jose’s Reply [Sept. 15, 2011], at p. 1 [“[T]his reply focuses on issues related to Provision C.2, unique to San Jose’s claim”].) The statewide cost estimate includes no costs of complying with Provision C.2 for any permittee other than San Jose. (Test Claim, Exhibit 3.)

No other party or interested person submitted comments on Provision C.2, and no permittee has indicated that the subject requirements constitute a new program or higher level of service in its respective jurisdiction. Nothing in the Commission’s previous correspondence or the notice of intent to consolidate the hearings indicated any intent on the Commission’s part to seek additional information regarding Provision C.2 beyond its effect on San Jose, as alleged in its test claim, or to shift the burden of pleading and proof to the board.

Consolidating the test claims for hearing does not convert the test claims to “joint claims.” (Cf. Cal. Code Regs., tit. 2, § 1183.1, subds. (b) & (g) [defining joint test claims] and Cal. Code Regs., tit. 2, §§ 1183.4, 1183.5 [governing consolidation and severance of test claims].) Consolidation promotes efficiency and consistency in adjudicating claims that share questions of law or fact, but it does not necessarily mean that all claims become applicable to all claimants. (See, e.g. *Todd-Stenberg v. Dalkon Shield Claimants Trust* (1996) 48 Cal.App.4th 976, 979-980 [consolidation under Civil Code section 1048 was appropriate when three cases involved many common issues, and differences between them were not so great as to cause confusion for factfinder, as evidenced by three separate damages awards].) Accordingly, consolidation of the four test claims against Order No. R2-2009-0074 did not signal to the Regional Water Board that it would have to prepare “additional comments with respect to the entire class of claimants.” [Request for Additional Briefing, at p. 2]

A test claimant must demonstrate that the statute or executive order constitutes a new program or higher level of service. (Gov. Code, §§17514 [defining “costs mandated by the state” as those mandating a new program or higher level of service], 17521 [test claim must allege costs mandated by the state].) A complete test claim must include, among other things:

- (A) A detailed description of the new activities and costs that arise from the mandate.
- (B) A detailed description of existing activities and costs that are modified by the mandate.
- (C) The actual increased costs incurred by the claimant during the fiscal year for which the claim was filed to implement the alleged mandate.
- (D) The actual or estimated annual costs that will be incurred by the claimant to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.
- (E) A statewide cost estimate of increased costs that all local agencies or school districts will incur to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.

(Test claim form, rev. 6/2013, § 5, Written Narrative.)

Where similarly situated agencies wish to present a test claim as a joint effort, they must submit a joint claim and not duplicate claims. (Cal. Code Regs, tit. 2, § 1183.1, subd. (b).) In the absence of a joint claim, similarly situated agencies may submit comments on another agency's claim. Affected agencies that are not similarly situated may file a test claim on the same permit if they explain how and why they are affected differently. (*Id.*) Commission decisions apply statewide to similarly situated school districts and local agencies. (See Cal. Code Regs., tit. 2, § 1181.2, subd. (s); *San Diego Unified School Dist. v. Commission on State Mandates* (2004) 33 Cal.4th 859, 872, fn. 10.) Thus, filing a joint claim or submitting comments on a similarly situated agency's claim is permissive rather than mandatory.

After completion of the test claim process, the Commission adopts Parameters and Guidelines or a reasonable reimbursement methodology only *after* determining a statute or executive order is a state mandate. (Gov. Code, §§ 17557 – 17558.1; Cal. Code Regs., tit. 2, §§ 1183.7 – 1183.18.) Among other things, the Parameters and Guidelines must describe entities eligible to submit claims, “the specific costs and types of costs that are reimbursable, including one-time costs and on-going costs, and reasonably necessary activities required to comply with the mandate,” offsetting revenue and savings, and claiming instructions. (Cal. Code Regs., tit. 2, § 1183.7.) Interested persons can submit comments on proposed parameters and guidelines. (Cal. Code Regs., tit. 2, § 1183.8.) Similarly, “[a]n interested party may submit cost information or other cost projections that can be the basis of a reasonable reimbursement methodology, and letters in support of a draft reasonable reimbursement methodology submitted pursuant to Government Code section 17557.1.” (Cal. Code Regs., tit. 2, § 1183.10.)

The Commission's December 2, 2016 letter shifts the burden of submitting claims from the test claimant to the Regional Water Board and then magnifies the error by seeming to conflate the Proposed Parameters and Guidelines process with the test claim adjudication.

Further, the December 2 letter correctly notes, staff allowed each county jurisdictional area to file separate test claims on Provisions C.8, C.10, C.11f and C.12f *because the permittees were previously subject to different permits and to different requirements within those permits*. The Commission thus recognized the local jurisdictions were not similarly situated with respect to all claims, including Provision C.2: the R2-2009-0074 Permittees were subject to different permits and their prior requirements were detailed in separate annual work plans, annual reports, stormwater management plans, and bid notices. The permittees may also have used different mechanisms to fund these requirements.

Notwithstanding differences amongst the jurisdictions with respect to prior municipal operations requirements, only San Jose filed a test claim on Provision C.2. No other permittee joined that claim, commented on San Jose's claim (despite submitting almost verbatim briefs on the other challenged Provisions), or described any activities, alleged new costs or prior requirements different from those described in San Jose's test claim. In accordance with the Commission's regulations and the usual test claim process, the Regional Water Board's comments on the test claims explained generally why the challenged requirements in Provision C.2 do not represent a new program or higher level of service but specifically commented only on San Jose's activities and costs since that was the only evidence or argument pled in the test claim.

The Regional Water Board appreciates that the Commission has provided the opportunity to submit additional briefing and evidence on whether Provision C.2 represents a new program or higher level of service for non-claimant permittees. However, the board requests clarification as to the scope of the briefing and evidence that the Commission is requesting, and the legal basis for requesting the board to detail how R2-2009-0074 affected 75 permittees that have not submitted any argument or evidence on this issue.

**II. Assuming the Requested Information is Necessary to Adjudicate San Jose's Test Claim, the Regional Water Board Requests that the Commission Require the Permittees to Provide Cost Information First or, in the Alternative, that the Commission Provide an Extension of Time for the Board to Provide Supporting Documents and Argument.**

The December 2, 2016 letter asks whether the Regional Water Board is asserting the activities required by provisions C.2.b, C.2.c, C.2.e, and C.2.f are not new *only* as to the City of San Jose, or whether this argument also applies to all other municipality co-permittees. Based on the test claim filed by the City of San Jose, the Regional Water Board asserts that challenged provisions are not new as to *any* Permittee. It would be unfair to the Regional Water Board and inconsistent with the definition of a test claim and the Commission's process to seek detailed responses from the board to claims for activities and costs that no claimant has alleged. The board is willing to address these issues now if necessary, but respectfully requests that the Commission first request the permittees to state whether they are similarly situated to San Jose and, if different than the evidence submitted in the test claim, to provide evidence that Provision C.2 constitutes a new program or higher level of service based on their specific facts. Requiring the Regional Water Board to brief this issue first would require the board to expend significant resources rebutting claims that permittees never intended to file.

Without this information from the permittees, the Regional Water Board cannot provide a more detailed response or the requested evidence by January 3, 2017. If the Regional Water Board must be the first party to brief these issues, the board respectfully requests an additional ninety days to brief the issues raised in the December 2, 2016 request because much of the evidence that the board would have to review and submit is in the possession of the permittees.

Requests for extensions of time that fully explain the reasons for the extension, do not require postponement of the hearing, and do not prejudice the parties shall be granted if there is no other good reason for denial. (Cal. Code Regs., tit. 2, § 1187.9, subd. (a).) Requests for extensions of time that do require postponement of time must fully explain the reasons for an extension and may be granted upon a showing of good cause. (Cal. Code Regs., tit. 2, §1187.9, subd. (b).) Here, the Regional Water Board recognizes that a ninety-day extension may necessitate postponement of the May 27, 2017 hearing. However, the Regional Water Board has good cause for an extension of time: the documents that the Commission has asked the Regional Water Board to brief are not readily accessible to the agency, and will take time to obtain; and the Regional Water Board would be prejudiced if it did not have a full opportunity to respond.

The Regional Water Board's primary reason for requesting the extension is the length of time necessary to obtain supporting documents. As the board understands the request, the Commission asks that the Regional Water Board provide a supplemental briefing pertaining to each of the 75 other permittees covered by this permit, including those that did not bring or join the existing test claims.<sup>2</sup> For each of these permittees, the Regional Water Board would have to track down annual work plans, annual reports, stormwater management plans, and bid notices indicating that the provisions in C.2 were not a new program or higher level of service, and that the permittees had adequate mechanisms to fund these requirements.

The Regional Water Board possesses some of these documents. For instance, the Regional Water Board has attached a 2004-2005 work plan from the City of Mountain View, which demonstrates that it

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<sup>2</sup> The December 2 letter seems to assume that Provision C.2 only applies to cities. The permit applies Provision C.2 to all permittees.



was already implementing programs covered by C.2, such as rural road maintenance and street sweeping, and that it was able to pay for such programs, such as through a capital improvement project to construct a roof at the municipally-owned corps yard. (See Attachment 1, at p. 2-3.) Similarly, a 2009-2010 Annual Report from Walnut Creek indicates that the municipality already had a street sweeping, cleaning, and inspection program covering corps yards and sidewalks, but did not have any rural roads. (Attachment 2, at p. 2-1.) Likewise, a 2006 bid announcement for sidewalk steam cleaning by the City of San Leandro indicated it could fund the provisions of C.2 (See Attachment 3.)

Tracking down this type of document for all 75 municipalities will be difficult. Most of these documents are at least a decade old, and many of them are not in electronic format. Moreover, the Regional Water Board's files do not contain all the information necessary to brief the issue for every permittee. For instance, staff has confirmed that the board's files no longer contain all annual work plans or stormwater management plans for the cities in Santa Clara County. The board anticipates that we will have to file numerous requests for documents to these permittees, including formal orders or Public Records Act requests if informal requests do not result in timely production of necessary documents. For instance, staff has confirmed that the Santa Clara Valley Urban Runoff Pollution Prevention Program only possesses these records in hard copy and that the board would need to make a formal request for them.

To complicate matters further, key staff and attorneys, not to mention staff of agencies from which the board would have to request documents, will be away for the holidays. Regional Water Board staff estimates that developing the administrative record for 75 permittees on this issue would take approximately 90 days, given the aforementioned holiday absences and the necessity of requesting documents from other agencies. Accordingly, the Commission's request for briefing cannot reasonably be completed before January 3, 2017.

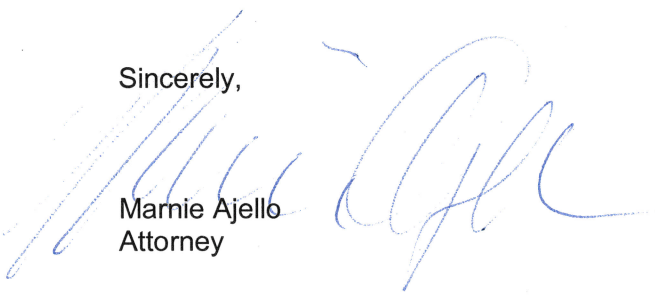
As described above, the Regional Water Board did not previously have notice that the Commission would seek detailed responses covering all municipalities, because no other municipalities submitted separate test claims with respect to Provision C.2 as they did for the other provisions, and San Jose's test claim only addressed its own program. Accordingly, extending time to respond to the Commission's request is necessary to avoid prejudice to the agency. For this reason, the Regional Water Board requests an extension of time, including, if necessary, a postponement of the hearing to the next regularly scheduled hearing after May 26, 2017. (Cal. Code Regs., tit. 2, § 1187.9, subd. (b).)

### III. Conclusion

Based on the foregoing, the Regional Water Board requests that the Commission clarify or modify its December 2, 2016 letter, direct the other permittees to provide the requested information or, in the alternative, grant the Regional Water Board ninety additional days to comply with the briefing request.

Thank you for your time and consideration of these requests.

Sincerely,

  
Marnie Ajello  
Attorney

Attachments:

Attachment 1 – 2004-2005 Work Plan, City of Mountain View  
Attachment 2 – FY 2009-2010 Annual Report, City of Walnut Creek [excerpt]  
Attachment 3 – City of San Leandro Bid Notice

cc: Michael Lauffer, Chief Counsel; [Michael.Lauffer@waterboards.ca.gov](mailto:Michael.Lauffer@waterboards.ca.gov)  
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# **Attachment 1**

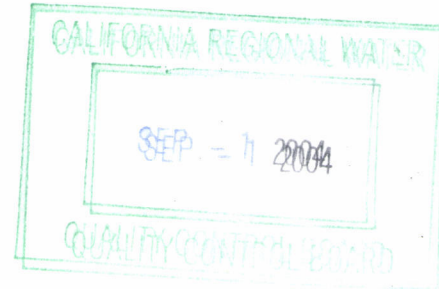


# CITY OF MOUNTAIN VIEW

Fire Department • Fire and Environmental Protection Division • 1000 Villa Street • Mountain View, CA 94041-1295  
650-903-6378 • FAX 650-903-6122

September 1, 2004

Mr. Bruce Wolfe, RWQCB Executive Officer  
Regional Water Quality Control Board  
San Francisco Bay Region  
1515 Clay St., Suite 1400  
Oakland, CA 94612



Subject: City of Mountain View's Urban Runoff Management Plan

Dear Mr. Wolfe:

The purpose of this letter is to transmit the City of Mountain View's Urban Runoff Management Plan, pursuant to provision C.2.b. of the Santa Clara Valley Urban Runoff Pollution Prevention Program's reissued municipal storm water NPDES Permit (Order No. 01-024). The Urban Runoff Management Plan (URMP) includes the City's Work Plan, as well as Performance Standards and Standard Operating Procedures for each of the following storm water pollution control program elements:

- ICID
- IND/COMM Inspections
- Street, Roads, and Highways
- Rural Public Works
- Storm Drain O&M
- Water Utility Operations
- New Development Planning Procedures
- New Development Construction Inspection
- Public Facilities Operations and Maintenance, including Pest Management

Also included with this letter is a certification statement and a Performance Standard Update Tracking Matrix. Please contact me at (650) 903-6225 if you have questions regarding the City Urban Runoff Management Plan.

Sincerely,



Eric Anderson, Urban Runoff Coordinator

cc. Janet O'Hara, RWQCB


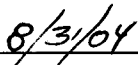
Attachments

**CITY OF MOUNTAIN VIEW**  
**SUBMITTAL OF**  
**URBAN RUNOFF MANAGEMENT PLAN**  
**UPDATED SEPTEMBER 1, 2004**

**Certification Statement**

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

**Signature by Duly Authorized Representative:**

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Gary Leinweber  
Fire Marshal

Date

**City of Mountain View  
 Tracking Matrix: Status of URMP and Performance Standard Updates  
 (Updated 9/1/04)**

BASELINE PROGRAM (1997)		FY 97-98 – FY 00-01 (URMP Update 2000)		FY 04-05 (URMP Update 2004)	
Program Element	Performance Standard (PS)	Changes Made to Performance Standards	URMP Update Completed	Changes Made to Performance Standards	URMP Update Completed
ICID	PS for ICID	ICID-2, SWID Inspections; ICID-4, Reporting CEDs and SWIDs	October 2000	URMP revised in August 2002 to include enhanced reporting. URMP reviewed August 2004. No additional revisions.	September 1, 2004
IND	PS for IND	IND-4, reporting SWIDs and summary of violations	October 2000	URMP revised in August 2002 to include enhanced reporting. URMP reviewed August 2004. No additional revisions.	September 1, 2004
PAA	PS for Streets/Roads O&M	None		URMP reviewed August 2004. No additional revisions.	September 1, 2004
	PS for Rural Public Works Maintenance*			Added City-specific information to new model PS (12/20/02) and incorporated into the URMP update	September 1, 2004
	PS for Storm Drain System Maintenance	SDOM #6, notification process between maintenance and ICID inspectors	October 2000	URMP reviewed August 2004. No additional revisions.	September 1, 2004
	PS for Water Utilities	None		URMP reviewed August 2004. No additional revisions.	September 1, 2004
NDS	PS for Planning Procedures	None		Reviewed and revised for the URMP update, per revised model PS dated 12/18/03	September 1, 2004
	PS for Construction Inspection	None		URMP Revised in November 2002 to include revised construction inspection standards. URMP reviewed August 2004. No additional revisions.	September 1, 2004
Pollutant Specific	PS for Pest Management*			Added City-specific information to new model PS (2/21/02) and incorporated into the URMP update	September 1, 2004

Notes:

\* = New PS not part of original URMP, added per reissued NPDES permit (Order No. 01-024).

NA = Co-permittee will not be implementing the model Performance Standard, because activities do not apply to its community characteristics.



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<b>4</b>	<b>Public Streets, Roads, and Highways Operation and Maintenance Performance Standard</b>
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<b>6</b>	<b>Storm Drain System Operation and Maintenance Performance Standard</b>
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<b>10</b>	<b>Public Facilities O&amp;M Performance Standard (includes Pest Management)</b>

# **CITY OF MOUNTAIN VIEW**

## **WORK PLAN**



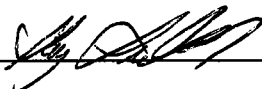


CITY OF MOUNTAIN VIEW  
FY 2004-2005 WORK PLAN

**Certification Statement**

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

**Signature by Duly Authorized Representative:**



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Gary Leinweber  
Fire Marshal

**Santa Clara Valley Urban Runoff Pollution Prevention Program**  
**FY 2004-2005 Work Plan**  
**Municipality: MOUNTAIN VIEW**

<b>P.S. Id.</b>	<b>Activity</b>	<b>CI Item Source<sup>1</sup></b>	<b>FY 04-05 Tasks</b>	<b>Status / Comments</b>	<b>Due Date (mo/yr)</b>	<b>Responsible Party</b>
<b>Illicit Connection &amp; Illegal Dumping Elimination Activities</b>						
ICID-6	Performance Standard	Revised FY 02-03 WP	Update of the City's URMP to add enhanced reporting requirements is completed.		Completed	Urban Runoff Coordinator
ICID-6	Reporting and Record Keeping	AR97-98; FY 01-02 WP; Self - Eval.	Use the revised ICID database to implement enhanced reporting and record keeping requirements.		Revisions completed; On-going	Urban Runoff Coordinator
ICID-7	Review and Evaluate Effectiveness	02-03 WP Comments	The City will continue to review and evaluate its Program effectiveness.	Review and evaluation will be included in Annual Reports and Work Plan documents	On-going	Urban Runoff Coordinator
<b>Industrial/Commercial Discharger Control Programs</b>						
IND-4	Performance Standard	Revised FY 02-03 WP	Update to URMP to add enhanced reporting requirements is completed.		Completed	Urban Runoff Coordinator
IND-3	Commercial Facility Inspections - Food Service Facilities	FY 01-02 WP; Self-Eval.; FY 02-03 WP	During FY 04-05, the City will continue to implement a restaurant BMP outreach program.	The restaurant outreach program involves a facility inspection and distribution of BMP materials including the BMP poster. The Fire and Environmental Protection Division has been reorganized. Inspections are performed at restaurants combining fire safety, grease control, and storm water pollution requirements.	6/05	Urban Runoff Coordinator  Inspector
IND-4	Reporting and Record Keeping	FY 02-03 WP	Use the revised IND database to implement enhanced reporting and record keeping requirements.	The City revised it's IND database to include: 1. Adding Program-wide categories. 2. Ensuring that the summary tables and reporting formats are consistent with AHTG recommendations.	Completed  On-going	Local URMP Coordinator

<sup>1</sup> Place where continuous improvement item identified, either AR99-00 (Annual Report), URMP (co-permittee URMP work plan); WP00-01 (last year's co-permittee work plan) Review (co-permittee review meeting), or Program (task approved by the Management Committee for all co-permittees, if applicable, such as performance standard revisions).

*Santa Ana Valley Urban Runoff Pollution Prevention Program  
FY 2004-2005 Work Plan*

**Municipality: MOUNTAIN VIEW**

<b>P.S. Id.</b>	<b>Activity</b>	<b>CI Item Source<sup>1</sup></b>	<b>FY 04-05 Tasks</b>	<b>Status / Comments</b>	<b>Due Date (mo/yr)</b>	<b>Responsible Party</b>
IND-6	Review and Evaluate Effectiveness	02-03 WP	The City will continue to review and evaluate its Program effectiveness.	Review and evaluation will be included in Annual Reports and Work Plan documents	On-going	Urban Runoff Coordinator
<b>Public Streets, Roads, and Highways Operation and Maintenance</b>						
PSR-1	"Clean Sweep" Program	FY 02-03 WP	The City's Streets Division will continue to implement the "Clean Sweep" program, which is designed to improve access to streets that typically cannot be swept because the streets are overcrowded with parked vehicles.	The "Clean Sweep" program includes three target areas for sweeping. There are currently no plans to expand the "clean sweep" program.	On-going	Streets Supervisor
PSR-3	Employee Training	01-02 AR 02-03 WP	The City will train maintenance employees regarding storm water pollution prevention BMPs by June 2004. Sections to receive training include streets, water, wastewater, fleet, parks, and facilities.	Training will include Corp yard BMPs and operations BMPs.	6/05	Urban Runoff Coordinator  Public Services Department
PSR-5	Review and Evaluate Effectiveness	02-03 WP	The City will continue to review and evaluate its Program effectiveness.	Review and evaluation will be included in Annual Reports and Work Plan documents. Street sweeping survey completed.	On-going	Urban Runoff Coordinator
<b>Rural Public Works Operation and Maintenance</b>						
Rural Public Works	Develop new Performance Standards for rural public works.	NPDES Permit Prov. C.5; Work Plan Guidance	The Rural Public Works Maintenance and Support Performance Standard was completed in June 2002. The Performance Standard is incorporated into the City's URMP.	Most of Mountain View is urbanized, and does not have rural roads. The City and it's contractors do occasionally perform work near creeks during bridge work or trail work. The Performance Standard will be implemented, including installation of erosion control measures, during those activities	6/05	Local URMP Coordinator  Public Works Department
<b>Water Utility Operation and Maintenance</b>						
WU-1	WUPPP Inventory	AR98-99	Using the Program developed WUPPP; the City will develop a WUPP that is specific to Mountain View operations.	The City's URMP has been modified to state that the Program WUPPP is currently used as guidance for Water Utility O&M BMPs. A revised WUPPP will be developed to include new, stricter practices that are used by the City's Water Division	6/05	Local URMP Coordinator/ Water Supervisor

**Santa Clara Valley Urban Runoff Pollution Prevention Program  
FY 2004-2005 Work Plan**

**Municipality: MOUNTAIN VIEW**

<b>P.S. Id.</b>	<b>Activity</b>	<b>CI Item Source<sup>1</sup></b>	<b>FY 04-05 Tasks</b>	<b>Status / Comments</b>	<b>Due Date (mo/yr)</b>	<b>Responsible Party</b>
WU-3	Employee Training	01-02 AR 02-03 WP	The City will train maintenance employees regarding storm water pollution prevention BMPs. Sections to receive training include streets, water, wastewater, fleet, parks, and facilities.	Training will include Corp yard BMPs and operations BMPs.	6/05	Urban Runoff Coordinator  Public Services Department
WU-4	Review and Evaluate Effectiveness	02-03 WP Comments	The City will continue to review and evaluate its Program effectiveness.	Review and evaluation will be included in Annual Reports and Work Plan documents	6/05; On-going	Urban Runoff Coordinator
<b>Public Facilities/Corporation Yards Operation and Maintenance</b>						
PF-5	Public Facilities Inventory	FY 01-02 WP	Design, fund, and construct a roof structure over the bulk materials storage area at the Municipal Operations Center.	Capital improvement project to install a roof structure over the bulk storage area at the Municipal Operations Center, where sand, dirt, spoils, and other materials are kept. Construction of the roof is dependent upon funding approval. Project has been delayed since the original 6/01 due date due to high bids. Project has been redesigned and will go to bid in July 2004.	6/05	Local URMP Coordinator/ Public Works Department
PF-5	Review and Evaluate Effectiveness	02-03 WP Comments	The City will continue to review and evaluate its Program effectiveness.	Review and evaluation will be included in Annual Reports and Work Plan documents	6/05; On-going	Public Services Department  Urban Runoff Coordinator
<b>New and Redevelopment -- Planning Procedures</b>						
NDP 1-12	New and Redevelopment Work Plan – C.3 Implementation Plan	NPDES Permit Provision C.3	The City will continue to prepare for the NPDES Permit Provision C.3 implementation deadlines. The tasks for C.3 implementation are included in the City's New and Redevelopment Requirements Work Plan, which has not changed.	The Provision C.3 Work Plan lists action items leading up to the deadline dates. Separate Work Plan submittal.	Various	Urban Runoff Coordinator  Community Development Department  Public Works
<b>New Development and Construction Controls – Construction Site Inspection</b>						
CIPS-1-7	Construction Inspection Performance Standards	FY 03-04 WP	The model Construction Inspection Performance Standards are included in the City		Complete	Local URMP Coordinator

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			of Mountain View's URMP.			
CIPS-2	Construction Inspections	02-03 WP Comments	During FY 03-04, the City will conduct construction inspections in accordance with the Performance Standards. The number of inspections is dictated by the amount of construction occurring throughout the City, therefore, it is difficult to predict the inspection load.	Construction sites with significant pollution potential will be inspected prior to the rainy season, and monthly during the rainy season.	On-going	Urban Runoff Coordinator
CIPS-6	Inspector Training	02-03 WP	Inspector(s) will be trained on construction site erosion control measures	Training received as sessions are offered. Urban Runoff Coordinator attends, as well as Public Works Department inspectors and engineers.	6/05	Urban Runoff Coordinator
CIPS-8	Review and Evaluate Effectiveness	02-03 WP Comments	The City will continue to review and evaluate its Program effectiveness.	Review and evaluation will be included in Annual Reports and Work Plan documents	6/05; On-going	Urban Runoff Coordinator
<b>Pest Management Plan</b>						
Pest Management Plan	Pest Management Work Plan	NPDES Permit Provision C.9.d	An FY 03-04 Pest Management Work Plan is attached separately. The work plan includes a schedule for completion of the City's IPM Plan and employee training.	Separate Work Plan.	Various	Urban Runoff Coordinator  Community Services Department  Finance and Administrative Services
<b>Mercury Pollution Prevention Program</b>						
MP Task I.B	Survey of City-used Mercury-containing products	Mercury Plan	The survey of City-used mercury-containing products was completed. FY 02-03 Annual Report will include mercury survey results.	Survey completed.	Completed	All City Departments
MP Task I.D	Adoption of a City mercury reduction policy or ordinance	Mercury Plan	The City will adopt a mercury policy in FY 03-04, requiring the virtual elimination of mercury from controllable sources in urban runoff from	The City will use Program-developed guidelines for municipal mercury policy development.	6/04	Urban Runoff Coordinator;

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			agency operations.			Other identified departments
MP Task I.F	Implement guidelines for mercury-containing products reduction and management	Mercury Plan	During FY 03-04, the City will implement measures to reduce the quantity of mercury-containing products, and manage essential mercury-containing products.	The City will use Program-developed guidelines for implementation of mercury-containing products reduction and management measures.	6/05	Urban Runoff Coordinator;  Other identified departments
MP Task H.D	Documentation and reporting of mercury-containing products disposal	Mercury Plan	During FY 04-05, the City will implement measures for documenting and reporting quantities of mercury-containing products disposed.	The City will incorporate Program-developed guidelines for implementing measures to document and report disposal of mercury-containing products.	6/05	Urban Runoff Coordinator;  Other identified departments
MP Task V.A	Mercury Disposal Outreach	Mercury Plan	The City will assist with Program efforts to provide outreach to educate small businesses and small quantity generators about fluorescent light recycling programs.		6/05	Urban Runoff Coordinator  Solid Waste and Recycling
MPP Program	Household Hazardous Waste Collection	NPDES Permit Provision C.9.c	The City, through its participation in the Santa Clara County Household Hazardous Waste Collection Program will work to enhance mercury-product disposal services for residents and small businesses. No specific tasks are identified for FY 04-05.	Efforts to support the Household Hazardous Waste Program will include participation in County-wide planning efforts, ensuring adequate funding is available, and assistance with publicizing mercury recycling options, including fluorescent light options.	On-going	Public Works Department – Solid Waste Division
<b>Other Water Quality and Watershed Management Requirements</b>						
Water Quality and Watershed Mgt.	Watershed Measures	General Work Plan Guidance	The City, through its participation in the SCVURPP Program, tracks WMI activities.	The City will continue to track WMI activities. Specific areas of interest include WE&O, and watershed assessments.	On-going	Urban Runoff Coordinator

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<b>Trash Investigations</b>						
Water Quality and Watershed Mgt.	Trash Investigations and Plan Development	General Work Plan Guidance	The City will continue to work with the Program to address trash issues. The City will also continue to perform trash abatement issues, including creek cleanup, hot spot investigations, and routine maintenance.	Current trash control efforts include two City-sponsored creek cleanups a year. Friends of Stevens Creek also conduct creek cleanups. City Parks personnel and Shoreline Park Rangers also patrol Stevens Creek Trail and remove trash as needed.	On-going	Urban Runoff Coordinator  Community Services Department
<b>Public Information / Participation</b>						
PIP- 1 to 4	PIP Master Plan	FY 03-04 WP	<p><u>General Outreach:</u> During FY 04-05, the City will continue with the activities listed in the URMP and the PIP Master Plan. These activities include maintaining brochure stands, HHW events, storm drain stenciling, and articles in local publications, such as the "Resource" newsletter. During FY 04-05, the City will look for opportunities to incorporate Watershed Education and Outreach messages, pesticide information and other high priority subjects into outreach materials.</p> <p><u>Targeted Outreach:</u> During FY 04-05, the City will continue targeted outreach activities that are listed in the URMP and the PIP Master Plan. These activities include ICID incident report reviews, maintaining brochure stands at specialty stores, participation in the Clean Bay Business Program, and continuation of a restaurant outreach program.</p> <p><u>Education Activities:</u> During FY 04-05, the City will continue education activities that are listed in the URMP and PIP Master Plan. These activities include employee training, and participation in a school education and outreach program along with the City of Palo Alto.</p>	WE&O campaign materials and messages will be incorporated into the City PIP activities where appropriate.	On-going	Fire and Environmental Protection Division

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			<p><u>Citizen Participation:</u> During FY 04-05, the City will continue citizen participation activities that are listed in the URMP and PIP Master Plan. These activities include hosting two creek cleanup events, and displaying PIP information at the Art and Wine Festival. The City may also staff information booths at other events in the City, including A La Carte &amp; Art, Spring Parade, Earth Day, and Arbor Day. Participation in these events depends on staff availability and whether the events will take place. For example, the City has staffed Earth Day events sponsored by local companies and NASA, but these events are not coordinated every year.</p>			
PIP-2	Residential Outreach Multi-cultural education	PIP Master Plan	The City will continue to seek opportunities to enhance multi-cultural outreach through continued efforts with the Multi-cultural Outreach Program.	The City's Multi-cultural Outreach Program holds meetings with neighborhood groups, and posts information for non-English speaking residents. Storm drain pollution prevention information is included in the Multi-cultural outreach program.	On-going	Community Outreach Coordinator  Local URMP Coordinator
PIP-2	Update the City's PIP Master Plan	PIP Master Plan	Opportunities to enhance the City's PIP Master Plan by including elements of the Watershed Education and Outreach Plan will be examined and included where appropriate. Watershed awareness will be included in the City's outreach efforts, including publications, training, school programs, and citizen participation events (i.e. Coastal Cleanup Day, and Art and Wine Festival).	The City will distribute and possibly publish materials that become available through the WE&O program.	6/05	Local URMP Coordinator
PIP-2	Review and Evaluate Effectiveness	02-03 WP Comments	The City will continue to review and evaluate its Program effectiveness.	Review and evaluation will be included in Annual Reports and Work Plan documents	On-going	Urban Runoff Coordinator



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<b>Annual Reports and Work Plans</b>						
Annual Reports and Work Plans	Self Evaluation and Continuous Improvement	FY 01-02 Work Plan; Self-evaluation	During FY 04-05, the City will submit all required Annual Reports and Work Plans. The City will also evaluate the URMP elements for the purpose of continuously improving the storm water program.	The City will review pollutant control plans, as they become available.	6/05	Local URMP Coordinator
<b>Copper and Nickel Activities</b>						
CB-1	Vehicle Washing Operations	CAP	<ul style="list-style-type: none"> <li>Public outreach and education efforts to reduce vehicle wash discharges, including brochure distribution, and mobile cleaners information</li> <li>Provide car wash kit to charity car wash organizers and educate on the use of the kits.</li> <li>Inspect auto businesses regarding car wash requirements, and prohibited storm drain discharge.</li> <li>Continue to maintain car wash systems for City vehicles at the Corp yard and Fire Stations.</li> <li>Require vehicle wash systems draining to the sanitary sewer as source control measures for projects, where the control is applicable.</li> <li>Submit data regarding vehicle washing outreach activities and effectiveness evaluation in annual reports.</li> </ul>	The City strongly supports regional public education and outreach efforts.	On-going	URMP Coordinator
CB-3	Industrial Copper Control	CAP	<ul style="list-style-type: none"> <li>Continue Industrial Inspection program, including NOI sites such as plating and metal finishing facilities, vehicle service facilities, and other permitted sites.</li> </ul>	The City will continue it's existing IND inspection program. The City will also continue to support Program IND Task Group efforts.	On-going	FD
CB-6/7	Reducing Traffic	CAP	<ul style="list-style-type: none"> <li>Review the results of the Development</li> </ul>		6/04	FD

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	Congestion/ Promoting Alternative Transportation		Policies Comparison Project Report, particularly Section VI., Policies to Limit Auto Use/Promote Alternative Transportation, in the Policy, Code, and Ordinance Worksheet, and investigate updating local development rules to promote better transportation-related design practices and alternative modes of transportation.			CDD PW
CB-8	Watershed Protection Measures	CAP	<ul style="list-style-type: none"> <li>• General Plan revisions are being reviewed as part of C.3 implementation. Revisions will be considered during the next City-wide GP revision, which currently is not scheduled.</li> <li>• CEQA revisions related to storm water are currently being evaluated as described in the C.3 Work Plan. Guidance from SCVURPPP and the City of San Jose addressing water quality review in CEQA will be reviewed and implemented, if acceptable.</li> <li>• HMP implementation will be incorporated upon completion of the document.</li> <li>• Continue C.3 implementation efforts</li> </ul>	Currently, the City is not an active participant in the SCBWMI. The City receives SCBWMI information through SCVURPPP participation.	6/04	FD PW CDD
CB-11	Street Sweeping	CAP	<ul style="list-style-type: none"> <li>• City will continue to implement street sweeping program.</li> <li>• City will continue "Clean Sweep" program designed to secure access to heavily impacted streets that have a lot of cars typically parked throughout the day.</li> <li>• Maintain effective street sweeping</li> </ul>	No new elements to the street sweeping program are proposed.	On-going	Public Service – Streets Division

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			<ul style="list-style-type: none"> <li>of cars typically parked throughout the day.</li> <li>• Maintain effective street sweeping equipment.</li> <li>• Continue to collect and report street sweeping information including mile swept and material removed for annual reports.</li> <li>• Continue to manage street sweeping solids.</li> <li>• Continue to maintain storm drain catch basins</li> <li>• Attend SCVURPPP training workshops, if provided.</li> <li>• Evaluate need for improvement in FY 03-04 annual report.</li> </ul>			
CB-12	Copper from Pools and Spas	CAP	<ul style="list-style-type: none"> <li>• City will respond to complaints of pool/spa discharges.</li> <li>• Assist Program development of pool brochure.</li> <li>• City will distribute outreach materials.</li> </ul>	The City supports regional outreach efforts.	On-going	URMP Coordinator
CB-21	Architectural Copper	CAP	<ul style="list-style-type: none"> <li>• Review study and ordinance from Palo Alto and consider feasibility of limiting the use of these materials.</li> </ul>		6/05	
NB-1	Discharges from Construction Sites	NAP	<ul style="list-style-type: none"> <li>• Continue to implement Construction Inspection Performance Standards and other tasks in Construction Inspection element of the Work Plan.</li> </ul>		On-going	

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<b>C.3.a. Performance Standard Implementation</b>						
<b>Goal:</b> To modify the City's Urban Runoff Management Plan (URMP) to include revised model Planning Procedures Performance Standards which incorporate Provision C.3. requirements.						
NDP - all	<b>a.1.</b> Incorporate revised model Planning Procedures Performance Standards into local urban runoff management plans.	NPDES Permit C.3.a.	During FY 04-05, the City will revise SOPs for implementation of the Performance Standards.	The City adopted the Program-developed model Planning Procedures Performance Standards and included the model performance standards in the City's URMP. Further discussion will be provided in the FY 03-04 Annual Report.	On-going SOPs by 12/04	Fire and Envir. Protection Division (FD)  Comm. Development Dept. (CDD)  Pub. Works Dept. (PW)
<b>C.3.b. Development Project Approval Process</b>						
<b>Goal:</b> To modify the City's development project approval process, for both private and public development projects, to incorporate the requirements of Provision C.3.						
NDP - 1	<b>b.1.</b> Assess current stormwater-related requirements in Co-permittee's development review process, for public and private projects, and identify	NPDES Permit C.3.b.	1. Conditions of Approval will be revised to list Group 2 projects by April 2005. 2. Complete a manual, which includes all pertinent information for C.3 implementation.	1. Conditions of approval were revised in October 2003 and are being implemented. 2. Comprehensive C.3 manual will be completed by December 2004	4/05  12/04	FD CDD PW

<sup>1</sup> Place where continuous improvement item identified, either AR00-01 (Annual Report), URMP (co-permittee URMP work plan); WP01-02 (last year's co-permittee work plan) Review (co-permittee review meeting), or Program (task approved by the Management Committee for all co-permittees, if applicable, such as performance standard revisions).

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	additional steps or tools required at each stage of the process to meet C.3. requirements.					
NDP - 1	<b>b.2.</b> Develop new or modify existing review policies, ordinances, procedures, and/or conditions of approval to incorporate Group 1 requirements (based on results of tasks under C.3.c. through C.3.m.)	NPDES Permit C.3.b.	Procedures will be revised to include Group 2 projects by 4/05	Some revisions to existing guidance manual may be completed during FY 04-05, including a finalized list of exempt project categories.	4/05	FD CDD PW
NDP - 10	<b>b.3.</b> Train Co-permittee staff in planning, building, and engineering departments on the C.3. provisions and goals, the required changes in the approval process,	URMP; Revised P.S.	City will train employees regarding Group 2 projects.  City will also train employees regarding the completed guidance manual.  The City will collect feedback on C.3 requirements.  The City will continue to attend	<ul style="list-style-type: none"> <li>Staff were trained on the City's interim guidance manual.</li> <li>City staff attended SCVURPPP training on January 29, 2004.</li> </ul>	4/05  4/05  6/05	FD CDD PW

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	and the use of appropriate tools.		pertinent training regarding the C.3 requirements.			
<b>C.3.c. Requirements for Group 1 and 2 Projects</b>						
<u>Goal:</u> Prepare to require applicants of Group 1 projects to design and implement stormwater treatment BMPs to reduce stormwater pollution to the maximum extent practicable. Also, participate in development for an alternative Group 2 project definition and prepare to implement C.3. requirements for Group 2 projects as needed.						
NDP - 12	<b>c.1.</b> Develop and implement a procedure to request and log the type, size, and impervious area of development projects (and extent of redevelopment if applicable) for determination of applicability of Group 1 (and later Group 2) requirements.	NPDES Permit C.3.c.	An impervious surface data collection sheet is in use to determine applicability of the C.3 requirements. The impervious surface calculation sheet will continue to be used in FY 04-05.		On-going	FD CDD PW
NDP - 12	<b>c.2.</b> Develop a method for determining whether a private project was “deemed complete” by 7/15/03, or	NPDES Permit C.3.c.	Memo dated 10/7/2003 provides the City’s definition for “deemed complete.”	For Group 2 projects, Community Development Applications received on or after April 15, 2005 will be subject to the City’s C.3 implementation program as outlined in the Stormwater Quality Controls guidance manual.	Done	FD; CDD; PW

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	documenting that a public project was funded and scheduled for construction by 10/15/03.					
<b>C.3.e. Operation and Maintenance of Treatment BMPs</b>						
<b>Goal:</b> To develop and implement an operation and maintenance (O&M) verification program to help ensure the proper maintenance of stormwater treatment measures on public and private property.						
NDP - 8	<b>e.1.</b> Develop and implement a procedure for logging information about treatment BMPs installed at approved Group 1 projects, and for maintaining a list or database of properties, treatment BMPs, and responsible operators.	NPDES Permit C.3.e	The FD database will be modified in FY 04-05 to include permanent BMPs required by Provision C.3. Environmental Compliance Plans will also be issued to facilities with newly installed stormwater treatment systems, which will facilitate the O&M verification and inspection programs	The City's Fire and Environmental Protection Division currently maintains a database of facilities that have storm water treatment BMPs. The database is set up to print out annual letters requiring the facility contact to submit proof of BMP maintenance.	12/04	FD
NDP - 8	<b>e.2.</b> Adapt model O&M agreement language to meet agency-	NPDES Permit C.3.e	The City will develop a standard BMP O&M agreement. A template of this agreement will be included in the City's Stormwater Quality Controls guidance	The City is currently reviewing examples of O&M agreements.	6/04	FD CDD PW

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	specific needs and requirements and incorporate into the project review and approval process.		manual.			
NDP - 8	<b>e.3.</b> Develop local programs for inspection of a subset of prioritized treatment BMPs to verify that the responsible party is performing required O&M.	NPDES Permit C.3.e.	The City will utilize the O&M verification system that is currently in place for treatment BMPs.	The current O&M verification system is to send annual maintenance letters to all facilities with treatment BMPs requiring submittal of maintenance certification. Maintenance letters will address procedures and frequencies for the specific BMPs. Environmental Compliance Plans will also be issued to facilities with storm water treatment systems, which will assist with tracking maintenance and inspections.	6/04	FD
NDP - 12	<b>e.4.</b> Report on BMP O&M verification program.	NPDES Permit C.3.e.	The City will report on the progress of the BMP O&M verification program in the Annual Reports, which are submitted to the Regional Board.		On-going	FD
<b>C.3.f. Hydromodification Management Plan (HMP)</b>						
<b>Goal:</b> To manage increases in runoff peak flow and volume for Group 1 projects, where such increases may cause increased erosion of creek beds and banks or related impacts, through implementation of a hydromodification management plan (HMP).						
NDP - 1	<b>f.1.</b> Upon adoption by the Regional Board, begin	NPDES Permit C.3.f.	After adoption by the Regional Board, the City will begin implementing HMP requirements.	Applicable HMP requirements will be integrated into the City's existing C.3 compliance program	pending RB approval;	FD PW CDD



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	implementation of HMP requirements for Group 1 projects that may cause increased erosion of other related impacts.					
<b>C.3.g. Waiver and Compensatory Mitigation Program</b>						
Goal: Establish a program under which a project proponent may request a waiver from treatment BMP requirements due to impracticability, with a provision to provide an equivalent water quality benefit to the same receiving water (that allows participation in regional solutions).						
NDP - 1	<b>g.1.</b> Develop local waiver program, perform legal review, and incorporate provisions in project review process	NPDES Permit C.3.g.		The City is not currently considering implementation of a waiver and compensatory mitigation program. The City may reconsider a program similar to those of other Bay Area storm water programs.		FD CA CDD PW
NDP - 12	<b>g.2.</b> Tracking information for reporting on waivers granted, including project data, reasons for and terms of the waiver, and the alternative benefit	NPDES Permit C.3.g.		The City is not currently considering implementation of a waiver and compensatory mitigation program.		FD

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	project and completion date.					
<b>C.3.h. Alternative Certification</b>						
Goal: To allow a professionally qualified person certify the adequacy of design of stormwater treatment measures.						
NDP	<b>h.1.</b> Alternative certification	NPDES Permit C.3.h.	The City will evaluate methods to provide alternative certification of the adequacy of design of stormwater treatment measures. The option to allow third party certification will be included in the City's Stormwater Quality Controls guidance manual.	Projects certified by a third party will be noted in Annual Reports.	12/04	FD PW CDD
<b>C.3.j. Site Design Measures Guidance and Standards Development</b>						
Goal: To incorporate site design measures that reduce water quality impacts into local design standards and encourage their use in project designs so as to meet the requirements of C.3						
NDP - 4	<b>j.1.</b> Review existing local design standards and guidance, and compare them to the list of areas to address in Provision C.3.j. and other references such as "Start at the Source"	NPDES Permit C.3.j.	The City will report on this item in the FY 03-04 Annual Report, which will be submitted in September 2004.	The City's Site Design Policy was submitted in September 2003. This item will be removed from future work plans.	9/04	FD CDD PW

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	and the “Development Policies Comparison” work sheet. Prepare and submit an analysis of local standards, identified opportunities for revision, and proposed revisions.					
NDP - 4	<b>j.2.</b> Incorporate the revised standards and guidance into local project approval process and “fully implement” site design measures and guidance.	NPDES Permit C.3.j.	Pertinent items in the report will be implemented during FY 04-05.	The City will report on implementation of any revised policies and standards as part of the 03-04 Annual Report or in a separate report.	9/04	FD CDD PW
<b><u>C.3.k. Source Control Measures</u></b>						
Goal: Require source control measures for new and redevelopment projects to limit pollutant generation, discharge and runoff to the maximum extent practicable.						
NDP -	<b>k.1.</b> Revise conditions of	NPDES Permit	City will review source control measures annually. Any revisions to	Required source control measures have been adopted in the ordinance and	Done	FD

**Santa Ana Valley Urban Runoff Pollution Prevention Program  
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<b>P.S. Id.</b>	<b>Actions</b>	<b>CI Item Source<sup>1</sup></b>	<b>FY 04-05 Tasks</b>	<b>Status / Comments</b>	<b>Due Date (mo/yr)</b>	<b>Responsible Party</b>
	approval to include the source control measures recommended in Provision C.3.k.	C.3.k.	requirements for source control measures that are adopted will be discussed in Annual Reports.	added to the plan check requirement form.		
<b>C.3.i. Update General Plans</b>						
Goal: Include water quality and watershed protection principles and policies in General Plans to the extent necessary to provide the basis for implementation of the measures required by Provision C.3.						
NDP - 1	<b>i.1.</b> Review current General Plan policies related to water quality and watershed protection, and incorporate additional policies as shown in C.3.I. as appropriate.	NPDES Permit C.3.I.	No further action needed for the General Plan item.	The current City General Plan Policy has been reviewed, and pursuant to Goal F, Policy 16 of the Environmental Management Chapter is shown to adequately address the principles and policies that are needed to implement Provision C.3.	Done	City Attorney  FD CDD PW
<b>C.3.m. Water Quality Review Process</b>						
Goal: To ensure that water quality impacts and appropriate mitigation measures are identified as part of environmental review of proposed projects.						
NDP - 3	<b>m.1.</b> Review CEQA initial study	NPDES Permit C.3.m.	1. Review and evaluate the examples of CEQA Water Quality Review questions that are listed in C.3.m.	The City's CEQ checklist adequately addresses water quality impacts. The City will consider augmenting its	9/04 AR	RBF CDD PW

**Santa Clara Valley Urban Runoff Pollution Prevention Program  
FY 2004-2005 Work Plan for Provision C.3 – New and Redevelopment Requirements**

**Municipality: MOUNTAIN VIEW**

<b>P.S. Id.</b>	<b>Actions</b>	<b>CI Item Source<sup>1</sup></b>	<b>FY 04-05 Tasks</b>	<b>Status / Comments</b>	<b>Due Date (mo/yr)</b>	<b>Responsible Party</b>
	checklists and other environmental review documents and modify documents as needed to include questions that sufficiently address water quality impacts of projects		2. Compare the examples in C.3.m. to the City's existing CEQA and other environmental review documents. 3. Revise CEQA guidance documents as necessary.	environmental review process to further address provision C.3.m.1. Any changes to CEQA procedures or guidance documents will be discussed in the 03-04 Annual Report.		FD
<b>C.3.n. Reporting Requirements</b>						
Goal: To meet the Provision C.3 reporting requirements, and plan for anticipated data needs, and begin collecting and tracking required data on development projects as needed.						
NDP - 12	<b>n.1.</b> Provide information in the Reporting Form for Provision C.3 in Annual Reports	NPDES Permit C.3.n.	The required information will be included in Annual Reports.	The City will use the reporting forms provided in the model Planning Procedures Performance Standards.	On-going	FD CDD PW
NDP - 8	<b>n.3.</b> Collect information and report a summary of types of pesticide reduction measures required for development	NPDES Permit C.3.n.	The City will continue to review and evaluate different pesticide reduction measures for possible implementation.  The City will review and consider additional conditions of approval that promote pesticide reduction.	The City currently requires the following pesticide reduction measures for landscaping on new projects:  <ul style="list-style-type: none"> <li>• No steep slopes (&gt;10%)</li> <li>• Use of mulches</li> <li>• Selecting plants appropriate for</li> </ul>	On-going	FD

**Santa Clara Valley Urban Runoff Pollution Prevention Program  
 FY 2004-2005 Work Plan for Provision C.3 – New and Redevelopment Requirements**

**Municipality: MOUNTAIN VIEW**

P.S. Id.	Actions	CI Item Source <sup>1</sup>	FY 04-05 Tasks	Status / Comments	Due Date (mo/yr)	Responsible Party
	projects, and the percentage of projects for which pesticide were required.			the climate zone <ul style="list-style-type: none"> <li>• Irrigation systems that reduce runoff</li> </ul> Pesticide control measures that are implemented will be listed in Annual Reports.		

Santa Clara Valley Urban Runoff Pollution Prevention Program  
Pest Management Work Plan – FY 04-05

Municipality: City of Mountain View

Program Work Plan Task	Task Description	Status / Comments	Due Date (mo/yr)	Responsible Party
<b>I. Municipal Pesticide Use</b>				
<i>Goal I.A. Eliminate all unnecessary municipal pesticide use (particularly organophosphate (OP) pesticide use) and implement Integrated Pest Management (IPM) techniques.</i>				
I.A.1	Develop and implement a process for tracking pesticide use on municipally owned property (PS #8). Include in the process reporting and justification for the use of OP pesticides and BMPs employed during OP pesticide use	Pesticide use tracking database is completed and in use.	Completed	Urban Runoff Coordinator Community Services Department
I.A.2	Adopt an IPM policy and/or ordinance requiring the use of IPM techniques in the agency's operations, minimization of pesticide use, and the restricted use of organophosphate pesticides only when their use is justified and adverse water quality impacts are minimized (PS #2).	Mountain View City Council adopted an IPM Policy on September 10, 2002.	Completed	Urban Runoff Coordinator Department Heads, Managers, and Supervisors from various City Departments (most notably Community Services) Parks And Recreation Committee City Attorney City Council
I.A.3	Develop and implement standard operating procedures (SOPs) and best management practices (BMPs) for implementing the IPM policy. (PS #3). BMPs will include special precautions to reduce water quality impacts when applying pesticides.	IPM Plan completed in June 2003.	Completed	Urban Runoff Coordinator Managers and Supervisors from Various City Departments
I.A.4	Update local URMPs to incorporate/adapt the model Pest Management Performance Standard, including a description of the legal authority (IPM policy/ordinance, contract language), work plan elements, BMPs, and SOPs needed for implementation. (Program FY 01-02 Work Plan)	A slightly modified version of the Program's model Performance Standards are adopted and incorporated into the City's URMP.	Completed	Urban Runoff Coordinator
I.A.5	Develop and implement a process to ensure that any contractor employed to conduct pest control and pesticide application on	City's IPM Policy includes a requirement for contract pest control and pesticide application services to be conducted in a manner that is	Completed;	Urban Runoff Coordinator

City of Mountain View  
Pest Management Plan – FY 03-04 Revision, CONTINUED

Program Work Plan Task	Task Description	Status / Comments	Due Date (mo/yr)	Responsible Party
	municipal property engages in pest control methods consistent with the IPM policy adopted by the agency (PS #5).	consistent with the City IPM practices. Future IPM service contracts will include IPM requirements.	On-going	Finance and Administrative Services Department
I.A.6	Conduct a periodic agency-wide search of chemical storage areas for pesticides no longer legal for application per EPA, State, and/or local requirements, and properly dispose of any such pesticides pursuant to appropriate waste disposal regulations.	The City's Fire and Environmental Protection Division currently maintains a chemical inventory of all City-owned and operated chemical storage areas. These chemical inventories are reviewed and updated annually by the Manager or Supervisor responsible for each area. The Fire and Environmental Protection Division conducts inspections and field verification of the inventories every two years.	On-going	Fire and Environmental Protection Division
MM I.A.1.	Document completion of tasks in annual reports. Use pesticide-tracking process to document pesticide use.	The City will continue to report pesticide use tracking data in annual reports.	To be reported in FY 04-05 AR	Urban Runoff Coordinator Community Services Department
<i>Goal I.B. Raise awareness of all municipal employees and train employees who apply pesticides for the municipality about the municipality's IPM Policy and/or IPM techniques as appropriate.</i>				
I.B.1	Ensure that employees who apply pesticides for the agency obtain the appropriate training as required by the County Agricultural Commissioner and the State Department of Pesticide Regulation (DPR) (PS #4a).	Appropriate training as required by the County Agriculture Commissioner and the State Department of Pesticide Regulation (DPR) is currently provided to City staff responsible for applying pesticides in the course of their job responsibilities and duties.	As required by regulatory agencies; On-going	Community Services Department
I.B.2	Provide annual training on the appropriate portions of the IPM Policy, SOPs, and BMPs, and the latest IPM techniques to employees within departments responsible for pesticide application (PS #4b).	The City will provide training to staff on the appropriate sections of the IPM policy, SOPs, BMPs, and new developments in IPM techniques. Where appropriate, the City supports regional efforts to train municipal staff regarding IPM information. Staff training conducted on 10/29/2003.	6/05; Annually	Community Services Department Urban Runoff Coordinator
I.B.3	Periodically (at least annually) inform employees who are not authorized and trained to apply pesticides that they cannot use over-the-counter pesticides in or around the workplace, consistent with the IPM Policy (PS #4c).		At least annually	Community Services Department Urban Runoff Coordinator
I.B.4	Assist with and send staff to a workshop on least-toxic pest control methods and pesticide management BMPs:	The City supports regional efforts to train municipal staff regarding IPM information. Efforts will be made to send staff to Pest Management Workshops.	6/05	Community Services Department Urban Runoff Coordinator
MM I.B.1.	Document and evaluate effectiveness of staff training conducted each year in annual reports.	Staff training effectiveness will be evaluated in the annual reports.	Annually	Urban Runoff Coordinator



City of Mountain View  
Pest Management Plan – FY 03-04 Revision, CONTINUED

Program Work Plan Task	Task Description	Status / Comments	Due Date (mo/yr)	Responsible Party
				Community Services Department
<b>II. Public Education and Outreach</b>				
<i>Goal II.A. Increase awareness of IPM so target audiences recall less toxic pest management messages and adopt IPM behaviors. Target audiences include residential and commercial users, pesticide retailers, municipal employees, and special districts. (PS #6).</i>				
II.A.1	Assist with local implementation of the Watershed Education & Outreach (WE&O) Campaign <sup>1</sup> , which will target the general public and include messages about less-toxic pest control and proper disposal (Program FY 01-02 Work Plan).	The City will continue to assist with local implementation of the WE&O Campaign.	Annually, FY 01-02 through FY 04-05	Urban Runoff Coordinator
II.A.9	Continue to fund BASMAA Regional Media Relations Campaign <sup>2</sup> featuring pitches to Bay Area media and responses to breaking news on pesticide-related topics.(FY 01-02 Work Plan)	Program funds BASMAA baseline projects, including Regional Media Relations Campaign.	Ongoing	N.A.
II.A.10	Prepare and pitch IPM stories and press releases to local media.	Program and BASMAA to assist with stories. Urban Runoff Coordinator will distribute IPM stories to local media outlets, as they become available.	As appropriate	Urban Runoff Coordinator
II.A.12	Assist with implementation of local components of a “Pesticide User Outreach” project <sup>3</sup> targeting residential and commercial users.	Program to develop work plan for project. The City will assist with the outreach project, as appropriate.	6/04	Urban Runoff Coordinator
II.A.13	Provide information on less toxic pest control (e.g., IPM techniques, municipal IPM policies, model contract language, training opportunities, etc.) to neighboring special districts (e.g., open space districts, vector control districts, and school districts) as appropriate	Program to assist with materials. Urban Runoff Coordinator will assist as appropriate.	On-going, as appropriate	Urban Runoff Coordinator
MM II.A.1.	Document or estimate numbers of residents reached by outreach efforts and media advertising	Accurate documentation or estimation of the number of residents reached by outreach efforts is difficult to accomplish. The City will document outreach tasks conducted. The City distributes IPM information at the annual Art and Wine Festival, and the Arbor Day Fair. The City’s Community Outreach Coordinator also distributes Spanish IPM fact sheets at various events.	Annually	Urban Runoff Coordinator
<i>Goal II.B. Educate pesticide retailers and consumers about less toxic pest control products and promote the sale of such products.</i>				
II.B.1	Continue to fund and participate in the BASMAA Regional IPM Partnership <sup>4</sup> . (Program FY 01-02 Work Plan)	Program funds BASMAA baseline projects, including Regional IPM Partnership.	On-going	Urban Runoff Coordinator

<sup>1</sup> Funded by all Co-permittees in FY 01-02.

<sup>2</sup> Funded by all Co-permittees each year.

<sup>3</sup> Funded by all Co-permittees in FY 01-02.

City of Mountain View  
Pest Management Plan – FY 03-04 Revision, CONTINUED

Program Work Plan Task	Task Description	Status / Comments	Due Date (mo/yr)	Responsible Party
II.B.2	Continue to implement cost-effective elements of the IPM Store Partnership Program. Create and provide fact sheets and other materials to pesticide retailers to facilitate point-of-purchase outreach. Visit stores as necessary to ensure ongoing participation. (Program FY 01-02 Work Plan)	Three Mountain View stores have participated in the IPM Store Participation Program. The City will continue to support the participating stores and encourage continued participation.	6/05; Ongoing if effective	Urban Runoff Coordinator
II.B.3	Assist Program to offer IPM training opportunities to pesticide retailer employees through coordination with Master Gardener-taught educational programs.	Where appropriate, the Urban Runoff Coordinator will assist with this effort.	6/05; Ongoing if effective	Urban Runoff Coordinator
MM II.B.1.	Document number of participating stores, materials distributed and employees trained. Evaluate the cost-effectiveness of the IPM Store Partnership Program each year	Tracked through the regional program. Documentation of participation in the IPM Store Partnership will continue.	Ongoing	Urban Runoff Coordinator
<b>III. Pest Control Operators (PCOs)</b>				
<i>Goal III.A. Minimize pesticide use by PCOs contracted for structural pest control and landscape maintenance.</i>				
III.A.4	Require PCOs contracted for municipal applications to use pest control methods consistent with the municipality's IPM policy (through contract specifications). Specifically, require contractors to: a) follow the agency's IPM policy, BMPs, and SOPs; b) provide evidence of current IPM training, when feasible; and c) provide documentation of pesticide use on agency property to the agency in a timely manner (PS#5).	City's pest control contractor is required to follow IPM Plan	On-going	Urban Runoff Coordinator  Finance and Administrative Services Department  All City Departments
MM III.A.1.	Document pesticide use by PCOs on municipal property	The City tracks pesticide use by the pest control contractor. Pesticide use is tracked in the City's database.	On-going	Urban Runoff Coordinator
<i>Goal III.B. Require all PCOs to implement Best Management Practices (BMPs).</i>				
III.B.2	Require PCOs contracted by municipalities to implement BMPs through contract specifications (see Action III.A.4., PS #5)	The pest control contract will not be up for bid in FY 04-05. Future contracts will include a requirement to implement the IPM Plan, including BMPs listed in the plan.	NA	Urban Runoff Coordinator  Finance and Administrative Services Department
MM III.B.1.	Document efforts to complete the above actions.	Efforts to require PCOs to implement IPM BMPs will be documented through contract specifications.		Urban Runoff Coordinator

<sup>4</sup> Funded by all Co-permittees in FY 01-02.

City of Mountain View  
Pest Management Plan – FY 03-04 Revision, CONTINUED

Program Work Plan Task	Task Description	Status / Comments	Due Date (mo/yr)	Responsible Party
<b>IV. Commercial Businesses</b>				
<i>Goal IV.A. Determine the extent of commercial business employees' use of pesticides (i.e., pesticide applications not performed by a licensed PCO) and conduct appropriate outreach regarding less toxic pest management.</i>				
IV.A.1	Develop and implement education programs that target commercial businesses, per recommendations developed in Program work plan.	Implementation of a commercial outreach task will be considered when defined by SCVURPPP.	On-going	Program Urban Runoff Coordinator
MM IV.A.1.	Document outreach efforts targeting businesses, as recommended in the work plan to be developed by the Program	Implementation of a commercial outreach task will be considered when defined by SCVURPPP.	On-going	Urban Runoff Coordinator
<b>V. Household Hazardous Waste Collection</b>				
<i>Goal V.A. Provide pesticide disposal services through household hazardous waste (HHW) collection programs for all residents and small businesses, and encourage use of these programs.</i>				
V.A.1	Ensure that adequate pesticide disposal services exist for residents and conditionally exempt small quantity commercial generators.	Mountain View residents and conditionally exempted small quantity commercial generators are eligible to dispose of waste pesticides through Santa Clara County programs and through programs offered by the City of Palo Alto.	6/05; On-going	Solid Waste Program Manager  Urban Runoff Coordinator
V.A.3	Work with HHW collection agencies to support, enhance, and help publicize programs for proper pesticide disposal (PS #7).	The City will continue to work with HHW collection agencies to publicize pesticide disposal programs. The City supports regional approaches to public information and outreach.	On-going	Solid Waste Program Manager  Urban Runoff Coordinator
V.A.5	Provide hazardous waste disposal information to residents, through distribution of materials (e.g., utility bill insert, city newsletter, community events, etc.) or advertising in local media	The City regularly publishes HHW information on newsletters and other mail out materials. HHW disposal information is also available on the City's web site.	Periodically, at least annually	Solid Waste Program Manager
MM V.A.1.	Document that household hazardous waste collection programs adequately serve residents and businesses and that any exchange programs do not exchange organophosphate or banned pesticides.	Documentation regarding the availability of HHW collection programs for Mountain View residents and businesses will be provided. Documentation will be limited to statements of the programs' availability and will not provide data concerning quantities of materials collected.	Annually	Urban Runoff Coordinator
<b>VII. New Development</b>				
<i>Goal VII.A Minimize pesticide use at new and redevelopment sites.</i>				
VII.A.1	Have appropriate municipal staff coordinate with Program to identify landscaping techniques less likely to attract pests, including a list of	The Urban Runoff Coordinator will review pesticide minimization recommendations for new and redevelopment sites. City currently	6/05	Urban Runoff Coordinator

City of Mountain View  
Pest Management Plan – FY 03-04 Revision, CONTINUED

Program Work Plan Task	Task Description	Status / Comments	Due Date (mo/yr)	Responsible Party
	pest-resistant plants, and develop model conditions of approval for pest resistant landscaping features and practices. (Required to meet NPDES Permit Provision C.9.d.ii. and Draft Permit Provision C.3.k.)	requires conditions of approval for landscaping that are designed to reduce pesticide runoff.		
VII.A.2	Consider pest-resistant landscaping and design features in the design, landscaping, and environmental reviews of proposed development projects. (NPDES Permit Provision C.9.d.ii.)	After reviewing the recommendations that are developed in VII.A.1, the City will consider adopting planning conditions requiring design of pest-resistant landscaping.	As available	Urban Runoff Coordinator  Community Development Department
VII.A.3	Train staff responsible for design review on pest-resistant landscaping techniques and model conditions of approval and the importance of minimizing pesticide use in runoff from development sites (NPDES Permit Provision C.9.d.ii.).	Program to develop workshop. Item is deferred until new development recommendations in V.II.A.1 are completed.	As available	Urban Runoff Coordinator
VII.A.4	Develop and propose enhanced reporting format for documenting use of pesticide reduction measures at development sites. (Draft Permit Provision C.3.n.)	Assist Program efforts. Item is deferred until new development recommendations in V.II.A.1 are completed.	FY 02-03 AR	Urban Runoff Coordinator
MM VII.A.1.	Summarize types of pesticide reduction measures required (such as by conditions of approval) for new development and significant redevelopment projects, and the percentage of new development and significant redevelopment projects for which pesticide reduction measures were required (Permit Provision C.3.n.).	City requires landscape conditions of approval designed to reduce pesticide runoff.	FY 04-05 annual report	Urban Runoff Coordinator
<b>VIII. Monitoring and Science</b>				
<i>Goal VII.A. Participate in coordinated monitoring efforts to support pesticide TMDL development and implementation.</i>				
VIII.A.1	Continue financial support of the Regional Monitoring Program (RMP) (FY 01-02 Program budget line item for \$150,000). (Program FY 01-02 Work Plan)	Support through Program budget.	Annually	Urban Runoff Coordinator
<b>X. Review and Revision of Work Plan</b>				
<i>Goal X.A. Implement a work plan that includes appropriate goals, actions, and monitoring mechanisms to reduce pesticide-related toxicity in urban runoff.</i>				
X.A.1.	Review and continuously improve the goals, actions, and monitoring mechanisms of the work plan considering results of self-evaluations, comments from Regional Board staff and other interested parties, and results of local performance review meetings if any.	The Urban Runoff Coordinator will review and consider comments and evaluations, which will be used to determine if goals, actions, and monitoring mechanisms need to be modified.	Annually	Urban Runoff Coordinator
MM	Revise work plan and add continuous improvement items.	If needed, the Work Plan will be revised to include continuous	Annually;	Urban Runoff

City of Mountain View  
 Pest Management Plan – FY 03-04 Revision, CONTINUED

Program Work Plan Task	Task Description	Status / Comments	Due Date (mo/yr)	Responsible Party
X.A.1.		improvement items.	updates in March	Coordinator

# **CITY OF MOUNTAIN VIEW**

## **ILLICIT CONNECTION & ILLEGAL DISCHARGE ELIMINATION ACTIVITIES PERFORMANCE STANDARD**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **ICID - Performance Standard Review**

The Purpose of this memo is to document the City of Mountain View's review of its URMP and Performance Standards for ICID. The most recent revision to the ICID Performance Standard was conducted in August 2002, when the enhanced reporting requirements were added. No additional revisions have been made to this Performance Standard.

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**Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Discharge Elimination Activities**

**INTRODUCTION**

Performance standards define control measures or levels of achievement for particular tasks carried out by all Santa Clara Valley Urban Runoff Pollution Prevention Program (Program) co-permittees. Control measures are described in the Program's Storm Water Management Plan, which is the basis for the 1995-2000 NPDES municipal storm water permit (Permit) period. The development and implementation of Performance Standards is an integral part of the Program during the five-year Permit period.

The components contained herein constitute the ILLICIT CONNECTION & ILLEGAL DISCHARGE ELIMINATION ACTIVITIES PERFORMANCE STANDARD.

**Purpose**

The goal of illicit connection and illegal discharge control measures is to identify and eliminate non-permissible non-storm water discharges associated with illegal discharges or illicit connections to the storm drain system. This Illicit Connection & Illegal Discharge Elimination Activities (IC/ID) Performance Standard defines the level of implementation that the City of Mountain View shall attain to demonstrate that their IC/ID activities reduce pollutants to the maximum extent practicable.

The performance standard for IC/ID is based on current practices that municipal agencies are and/or will be implementing to eliminate non-storm water discharges, and practices that are accepted by the State and Regional Board as being effective in controlling these discharges. The performance standard is also consistent with the goals and objectives of the Storm Water Management Plan.

**Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Discharge Elimination Activities**

**DEFINITIONS**

- **Best Management Practices (BMPs)** - cost effective practices which comply with the City's NPDES storm water discharge permit and are accepted by the City of Mountain View and the Santa Clara Valley Urban Runoff program for minimizing discharges of polluted waters to the storm drain thereby protecting water quality in streams, the groundwater basin, and the bay.
- **Chapter 35, MVCC** - the City of Mountain View's Industrial Sewer Use Ordinance".
- **Chapter 24, MVCC** - the City of Mountain View's "Hazardous Materials Ordinance".
- **Field Investigations** - pro-actively looking for non-storm water flows.
- **NPDES** - "National Pollution Discharge Elimination System" and refers to the county-wide permit for discharging to the waters of the state. The City of Mountain View is a co-permittee identified in this permit.
- **POTW** - "Publicly-Owned Treatment Works. This is the facility that treats wastewaters entering the sanitary sewer system and discharges them to the bay.
- **Spill Response Plan** - Activities carried out upon receiving a report of an existing non-storm water discharge.

**Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Dumping Elimination Activities**

**PERFORMANCE STANDARD**

**1) Resource Commitment**

- Identify where responsibility for IC/ID enforcement is located within the jurisdiction.

**2) Training/Education/Outreach**

- Ensure IC/ID Inspectors are trained. ICID inspector training to include identification and reporting of storm water infiltration devices (SWIDs), and conditionally exempted discharges (CEDs).
- Determine and implement appropriate outreach efforts to reduce non-permissible non-storm water discharges. Report outreach efforts in Annual Report.
- Conduct spill response drills annually (if no events occurred to evaluate your plan) in cooperation with other agencies or industries.
- When a responsible party is identified, educate the party on the impacts of his or her actions.

**3) Complaint Referral/Incident Response System**

- Follow existing spill response<sup>1</sup> and cleanup programs used within the jurisdiction.
- Develop and formalize an inter-agency referral process for both internal referrals (within a co-permittee's jurisdiction) and referrals between co-permittees.

**4) Field Investigation**

- Conduct field investigations<sup>2</sup> which include inspecting portions of the municipal storm drain system (including any Storm Water Infiltration Devices, or SWIDs) for potential sources of non-storm water discharges. Observed discharges will be referred to the appropriate investigating agency.
- Pro-actively conduct investigations of high priority areas. Based on historical data, prioritize specific geographic areas and/or incident type for pro-active investigations.
- Report high priority specific areas for pro-active investigations in Annual Report.
- Respond to complaints regarding illegal dumping violations into the storm drainage system within the jurisdiction.

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<sup>1</sup> Activities carried out upon receiving a report of an existing non-storm water discharge.

<sup>2</sup> Pro-actively looking for non-storm water flows.

## **5) Enforcement/Follow Up**

- If the responsible party is identified, educate the party on the impacts of their actions, explain the storm water requirements, and provide information regarding Best Management Practices (BMP), as appropriate. Initiate follow-up and/or enforcement procedures.
- If an illegal discharge is traced to a commercial, residential or industrial source, conduct the following activities or coordinate the following activities with the appropriate agency:
  - (1) Contact the responsible party to discuss methods of eliminating the non-storm water discharge, including disposal options, recycling, and possible discharge to the sanitary sewer (if within POTW limits).
  - (2) Provide Program information to the responsible party, where appropriate.
  - (3) Begin enforcement procedures, if appropriate.
  - (4) Continue inspection and follow-up activities until the illicit discharge activity has ceased
- If an illegal discharge is traced to a commercial or industrial activity, coordinate information on the discharge with the jurisdiction's commercial and industrial facility inspection program.

## **6) Record Keeping/Reporting**

- Document and report annually the results of the program using the Co-permittee Standard Reporting Form (see Part IV, pg. 10).
- Maintain documentation of illicit connection and illegal dumping incidents, including significant conditionally exempt discharges that are not properly managed; submit results to the Regional Board upon request (see Part IV, Table 3 (as may be revised), pg. 12, for model format).
- Develop a tracking system designed to identify and prioritize specific areas for proactive investigations in order to:
  - (1) Determine the appropriate frequency for repeat inspections of high, medium, and low priority areas based on an investigation of the municipality's entire drainage area.
  - (2) Identify, and minimize the number of, cross jurisdictional violations (for example, mobile cleaners), seasonal violations, and interagency duplication.
  - (3) Review complaint response data.
  - (4) If an illegal discharge involves a storm water infiltration device (SWID), complete a SWID notification card. Return one copy to the Santa Clara Valley Water District's Water Quality Unit and one copy to the Santa Clara Valley Urban Runoff Pollution Prevention Program.
  - (5) Identify and document conditionally exempted discharges (CEDs).

- ξ Implement enhanced annual reporting requirements outlined in the ICID Reporting Ad-Hoc Task Group's Technical Memorandum, dated September 7, 2001. The enhanced annual reporting requirements include:
- a. Using standardized reporting categories identified in the technical memorandum for source of incident report, potential sources of ICID incidents, type of incident, and follow-up and enforcement actions.
  - b. Sending ICID information electronically to Program staff for analysis, production of summary tables in the Annual Report, and inclusion in the Program-wide database.

**7) Effectiveness Evaluation**

- Review annually the IC/ID Performance Standard and internal investigation results; assess whether goals were met and what changes or improvements are necessary.
- Obtain feedback from complaining parties, other agencies, or citizens, on your agency's response to their concern or complaint.
- Regularly evaluate how the city's interagency IC/ID referral system works.
- Obtain feedback from personnel assigned to respond to, or inspect for, illicit connections and illegal dumping incidents.

**Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Discharge Elimination Activities**

**PERFORMANCE STANDARD**

**1) Resource Commitment**

- Identify where responsibility for IC/ID enforcement is located within the jurisdiction.

**2) Training/Education/Outreach**

- Ensure IC/ID inspectors are trained.
- Determine and implement appropriate outreach efforts to reduce non-permissible non-storm water discharges.
- Conduct spill response drills annually (if no events occurred to evaluate your plan) in cooperation with other agencies or industries.
- When a responsible party is identified, educate the party on the impacts of his or her actions.

**3) Complaint Referral/Incident Response System**

- Follow existing spill response and cleanup programs used within the jurisdiction.
- Develop and formalize an inter-agency referral process for both internal referrals (within a co-permittee's jurisdiction) and referrals between co-permittees.

**4) Field Investigation**

- Conduct field investigations which include inspecting portions of the municipal storm drain system for potential sources of non-storm water discharges. Observed discharges will be referred to the appropriate investigating agency.
- Pro-actively conduct investigations of high priority areas. Based on historical data, prioritize specific areas for pro-active investigations.
- Respond to complaints regarding illegal dumping violations into the storm drainage system within the jurisdiction.

**5) Enforcement/Follow Up**

- If the responsible party is identified, educate the party on the impacts of their actions,

explain the storm water requirements, and provide information regarding Best Management Practices (BMPs), as appropriate. Initiate follow-up and/or enforcement procedures.

- If an illegal discharge is traced to a commercial, residential or industrial source, conduct the following activities or coordinate the following activities with the appropriate agency:
  - (1) Contact the responsible party to discuss methods of eliminating the non-storm water discharge, including disposal options, recycling, and possible discharge to the sanitary sewer (if within POTW limits).
  - (2) Provide Program information to the responsible party, where appropriate.
  - (3) Begin enforcement procedures, if appropriate.
  - (4) Continue inspection and follow-up activities until the illicit discharge activity has ceased
- If an illegal discharge is traced to a commercial or industrial activity, coordinate information on the discharge with the jurisdiction's commercial and industrial facility inspection program.

#### **6) Record Keeping/Reporting**

- Document and maintain reports describing the results of the program on an annual basis.
- Maintain documentation of illicit connection and illegal dumping incidents; submit results to the Regional Board upon request.
- Develop a tracking system designed to identify and prioritize specific areas for pro- active investigations in order to:
  - (1) Determine the appropriate frequency for repeat inspections of high, medium, and low priority areas based on an investigation of the municipality's entire drainage area.
  - (2) Determine the number of cross jurisdictional violations (for example, mobile cleaners), seasonal violations, and interagency duplication.
  - (3) Review complaint response data.

#### **7) Effectiveness Evaluation**

- Review annually the IC/ID Performance Standard and internal investigation results; assess whether goals were met and what changes or improvements are necessary.
- Obtain feedback from complaining parties, other agencies, or citizens, on your agency's response to their concern or complaint.
- Regularly evaluate how the city's interagency IC/ID referral system works.
- Obtain feedback from personnel assigned to respond to, or inspect for, illicit connections and illegal dumping incidents.



**Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Discharge Elimination Activities**

**WORK PLAN IMPLEMENTATION**

The City of Mountain View currently implements the Illicit Connection & Illegal Discharge Elimination Activities performance standard. The City will summarize its compliance efforts during the year in its Annual Report. The format of the Annual Report reporting form is in the "City of Mountain View Annual Reporting Form" section of this document. Additional supporting documentation will be maintained at City offices and made available for public review.

For a summary of the procedures the City uses to implement this performance standard, see the "Standard Operating Procedures" section of this document.

**Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Discharge Elimination Activities**

**LEGAL AUTHORITY TO IMPLEMENT**

The City of Mountain View has adequate legal authority to implement the Illicit Connection & Illegal Discharge Elimination Activity performance standard. The list below summarizes the various legal instruments used by the City to do so. Also refer to the section describing best management practices and other control measures used by the City to implement the standard.

Summary of Legal Authority:

LEGAL AUTHORITY	DESCRIPTION
NPDES Permit No. CAS029718 (Order 95-180)	Stormwater permit for Santa Clara County and 13 co-permittees.
Memorandum of Agreement	Memorandum between the Santa Clara Valley Urban Runoff Pollution Prevention Program co-permittees, pursuant to the RWQCB NPDES Permit No. CAS029718.
City of Mountain View General Plan	Policy 16 requires establishment of pollution control measures to keep pollutants from entering Mountain View's storm drain system to protect the city's surface water resources. Policy 18 requires proper use, storage and disposal of toxic chemicals to prevent soil contamination.
Chapter 24, MVCC, Section 24.3.0(f)	Requires an approved drainage system to prevent accumulation of liquid within secondary containment. The drainage system must conform to sanitary and storm drain discharge requirements.
Chapter 24, MVCC, Section 24.3.4	Requires adequate spill prevention and clean-up materials be maintained on site for leaks and spills.
Chapter 24, MVCC, Section 24.6.0	Allows City to conduct inspections for ascertaining compliance with Chapter 24.
Chapter 24, MVCC, Section 24.6.0(a)	Allows City to enter any structure or premises when an enforcement officer has reason to believe a violation has occurred.

LEGAL AUTHORITY	DESCRIPTION
Chapter 35, MVCC, Section 35.31.3	Prohibits discharge of sanitary sewage, industrial wastes or polluted waters to curbside gutter, storm sewer, storm drain or other natural outlet. Defines unlawful discharges to storm drain. Outlaws discharges of any pollutants or waters containing pollutants that violate the City's stormwater discharge permit or applicable water quality standards.
Chapter 35 MVCC, Section 35.31.1	Authorizes the City to immediately enter a facility for violations constituting an immediate or substantial danger to public health, safety and welfare.
Chapter 35 MVCC, Section 35.32.10.1	Authorizes City to require "adequate protection" to prevent discharge of polluted water, hazardous materials, industrial wastes, or other wastes. Such protection includes "facilities" or "engineering controls".
Chapter 35 MVCC, Section 35.32.10.1(B)	Requires immediate clean-up of spills or leaks.
Chapter 35 MVCC, Section 35.32.10.1(D)	Prohibits interior floor drains to be connected to the storm sewer system.
Chapter 35 MVCC, Section 35.32.10.1(T)	Requires a SWPPP for projects exceeding 5 acres. Defines acceptable during-construction practices in the document "Stormwater Pollution Prevention Guidelines for Construction Projects".

**Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Discharge Elimination Activities**

**BEST MANAGEMENT PRACTICES AND CONTROL MEASURES**

The purpose of best management practices for an illicit connection & illegal discharge elimination activity program is to eliminate or reduce illicit connections or illegal dumping to the storm drain system. This section contains a list of best management practices used by the City of Mountain View in conducting investigations and enforcement of illicit connections and illegal discharges:

**Example BMP's and Control Measures (outlined in the following documents)**

- *City of Mountain View Illicit Connection/Illegal Discharge Elimination Response Plan* (attached in Appendix)
- *Manual for the Investigation and Elimination of Illegal Dumping*, Woodward Clyde Consultants, February, 1991.
- *Methods for Conducting Illicit Connection Programs*, Woodward Clyde Consultants, January 1991.
- *NPDES Storm Water Sampling Guidance Document*, Environmental Protection Agency, July, 1992.

**Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Discharge Elimination Activities**

**STANDARD OPERATING PROCEDURES**

This section presents the standard operating procedures (SOPs) that the City of Mountain View uses for implementation of the performance standard, and identifies the division(s) within the City that are responsible for their implementation.

**Performance Standard #1.1: Resource Commitment**

- Identify where responsibility for illicit connection & illegal discharge program enforcement is located within the jurisdiction.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

IC/ID enforcement authority is delegated by ordinance to the Fire Department's Environmental Safety Division. Field investigation and enforcement follow-up, as described in this performance standard, is conducted by the Environmental Safety Division. See the "Legal Authority to Implement" section of this document for a listing of legal instruments used by the City for enforcement.

**Performance Standard #2.1: Training/Education/Outreach**

- Ensure IC/ID inspectors are trained.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

Training of inspectors is an on-going process. Since the illicit connection & illegal discharge program inspectors are located within the Environmental Safety Division which is responsible for legal enforcement of this program, a coordinated team approach is used with all the inspectors and includes:

- Review of EPA publication "Investigation of Inappropriate Pollutant Entries into Storm Drainage Systems, a Users Guide"
- Review of the Santa Clara guidance on Methods for Conducting Illicit Connection Programs and Manual for Investigation and Elimination of Illegal Dumping;
- Review of City's "ID/ID Elimination Response Plan";
- Investigation and enforcement classes through UC Extension and CWEA;
- Information through the Program and BASMAA;
- Internal division training; and
- Program-sponsored information-sharing workshops.

**Addition to Performance Standard #2.1: Training/Education/Outreach**

- ICID inspector training to include identification and reporting of storm water infiltration devices (SWIDs), and conditionally exempted discharges (CEDs).

*\*Add to the existing Standard Operating Procedure for Performance Standard #6.3*

The protocol for these classes and training meetings covers the following items:

- mapping;
- drainage system screening;
- use of tracing techniques;
- field enforcement protocols and corrective techniques; and
- available city services for response and mitigation.

This training protocol is updated annually, based upon individual needs of the inspectors and the types of situations they are exposed to in the field.

In addition to training of inspectors, other city employees, residents and businesses are also encouraged to keep vigilant and notify the City when they observe an illegal discharge occurring. City employees are provided this directive during their annual training. Residents and businesses are encouraged to become involved via general and targeted outreach that the City conducts throughout the year. See the "Public Education and Outreach Master Plan" for more details on this outreach and training effort.

### **Performance Standard #2.2: Training/Education/Outreach**

- Determine and implement appropriate outreach efforts to reduce non-permissible non-storm water discharges.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

Various "Best Management Practice" brochures are handed out to the responsible parties, depending upon the nature of the violations and their overall understanding of the issues of concern. In addition, targeted outreach mailings are conducted as part of the city's overall public education and outreach protocol. This may include mailings to vehicle service facilities, machine shops, laboratories, etc. All these industrial and commercial facilities are listed in the city's environmental database.

In addition, targeted outreach to residents on various illicit connection & illegal discharge themes is also conducted. This includes the familiar but important "don't dump" message for chemicals, pool water, etc. Outreach is also coordinated with the city's solid waste program to include availability of household hazardous waste days. See the "Public Education and Outreach Master Plan" for additional information.

### **Performance Standard #2.3: Training/Education/Outreach**

- Conduct spill response drills annually (if no events occurred to evaluate your plan) in cooperation with other agencies or industries.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

Spills and spill responses are on-going activities (refer to Mountain View's IC/ID annual reports to obtain a summary of the quantities and types of spills reported and responded to each year). Spill response is conducted primarily by the city's Fire Department and Public

Services Department (which includes water, wastewater and utilities divisions). If spills involve outside jurisdictions or agencies, the investigating department contacts them for assistance. The Fire Department also contacts the Office of Emergency Services and other outside agencies when required, due to spills.

Industry is required to have their own spill response capabilities. Hazardous materials inspections confirm that clean-up equipment is available on site and that the industry is conducting its own spill response training.

**Performance Standard #2.4: Training/Education/Outreach**

- When a responsible party is identified, educate the party on the impacts of his or her actions.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

Education of responsible parties is standard practice, as described and explained in the attached "Enforcement Response Plan". On recurring problems where education by itself has not been shown to be effective, enforcement will be escalated to include administrative fines or civil or criminal litigation.

**Performance Standard #3.1: Complaint Referral/Incident Response System**

- Follow existing spill response and cleanup programs used within the jurisdiction.

Responsible Division:

Environmental Safety Division, Fire Department and Public Services Department

Implementation Procedures:

The City's "Illicit Connection/Illegal Discharge Elimination Response Plan" (see Appendix) is reviewed during the annual training conducted with city employees in both the Fire and Public Services Department. In many responses, inspectors from the Environmental Safety Division will also respond and review the spill response and cleanup procedures being undertaken. If it is determined that an employee did not follow the appropriate spill response and cleanup procedures, the Environmental Safety Division takes the lead in discussing the problem both with the responsible person and his/her supervisor in an attempt to provide constructive criticism and reduce the likelihood of future mistakes.

**Performance Standard #3.2: Complaint Referral/Incident Response System**

- Develop and formalize an inter-agency referral process for both internal referrals (within a co-permittee's jurisdiction) and referrals between co-permittees.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

All of the City's employees act as eyes and ears for implementation of this performance standard. There are a number of ways in which the Environmental Safety Division, who is ultimately responsible for its implementation, receives information from the field:



- Direct observation by Environmental Safety Division personnel during hazardous materials, underground storage tank, hazardous waste, industrial pretreatment and urban runoff inspections;
- Direct observation by Environmental Safety Division personnel during routine travel throughout the city limits;
- Complaints or referrals from:
  - √ City building inspectors;
  - √ City water and wastewater crews;
  - √ City meter readers;
  - √ City public works inspectors;
  - √ City firefighters;
  - √ City police;
  - √ County Health Department; and
  - √ Mountain View residents and businesses
- Emergency response calls via 911.

In most instances, internal referrals are informal and may occur, as described above, via phone, fax, etc. Referrals from outside agencies may be either informal or formal. To date, referrals from the Santa Clara County Health Department regarding illegal dumping or other problems at food service facilities have been formal written notifications.

#### **Performance Standard #4.1: Field Investigation**

- Conduct field investigations which include inspecting portions of the municipal storm drain system for potential sources of non-storm water discharges. Observed discharges will be referred to the appropriate investigating agency.

##### **Responsible Division:**

Environmental Safety Division, Fire Department and Public Services Department

##### **Implementation Procedures:**

Field investigations for illicit connections and illegal discharges include the following:

- Industrial and commercial facility inspections;
- Routine inspection of sanitary sewer pipelines; and
- Outfall walks to discern dry-weather flows.

In all these investigations, should illicit connections or illegal discharges be discovered, the inspector initiates follow-up actions as described in the City's "Illicit Connection and Illegal Discharge Elimination Response Plan".

#### **Performance Standard #4.2: Field Investigation**

- Pro-actively conduct investigations of high priority areas. Based on historical data, prioritize specific areas for pro-active investigations.

##### **Responsible Division:**

Environmental Safety Division, Fire Department and Public Services Department

##### **Implementation Procedures:**

Areas considered by the City as "high priority" are continually being identified. When facilities such as these are identified and determined to be high priority due to the continual

#### **Performance Standard #4.1: Field Investigation**

- Conduct field investigations which include inspecting portions of the municipal storm drain system (including any Storm Water Infiltration Devices, or SWIDs) for potential sources of non-storm water discharges. Observed discharges will be referred to the appropriate investigating agency.

#### Responsible Division:

Fire Department, Fire and Environmental Protection Division

Public Services Department, Utilities Division

#### Implementation Procedures:

Field investigations for illicit connections and illegal discharges include the following:

- Industrial and commercial facility inspections;
- Routine inspection of sanitary sewer pipelines; and
- Outfall walks to discern dry weather flows.

In all these investigations, should illicit connections, illegal discharges, or SWIDs be discovered, the inspector initiates follow-up actions as described in the City's "Illicit Connection and Illegal Discharge Elimination Response Plan."

problems encountered by inspectors or other referrals, they are placed in the City's environmental database and an increased inspection schedule is assigned. For example, in the case of the Krage Automotive stores, the City has increased its inspection schedule from annually to quarterly.

**Performance Standard #4.3: Field Investigation**

- Respond to complaints regarding illegal dumping violations into the storm drainage system within the jurisdiction.

**Responsible Division:**

Environmental Safety Division, Fire Department and Public Services Department

**Implementation Procedures:**

The Environmental Safety Division responds promptly to referrals and complaints in order to improve the chances of identifying a responsible party as well as reducing the environmental impact of the spill or release. In most cases, inspectors are dispatched immediately to the scene. In those cases where inspectors are not available and a discharge is occurring, firefighters are dispatched via 911. In cases where a discharge is not occurring and inspectors are not immediately available, the referral is followed-up as soon as an inspector is available.

If site mitigation and cleaning of storm drain inlets is required, the Public Services Department will also be requested to respond to the scene and assist in the cleanup. The Environmental Safety Division takes the lead in follow-up (including training) and enforcement, if needed.

**Performance Standard #5.1: Enforcement/Follow Up**

- If the responsible party is identified, educate the party on the impacts of their actions, explain the storm water requirements, and provide information regarding Best Management Practices (BMP), as appropriate. Initiate follow-up and/or enforcement procedures.

**Responsible Division:**

Environmental Safety Division, Fire Department

**Implementation Procedures:**

This is standard operating procedure, as discussed in the "Legal Authority to Implement" and "Illicit Connection and Illegal Discharge Elimination Response Plan" sections in the Appendix.

**Performance Standard #5.2: Enforcement/Follow Up**

- If an illegal discharge is traced to a commercial, residential or industrial source, conduct the following activities or coordinate the following activities with the appropriate agency:
  - (1) Contact the responsible party to discuss methods of eliminating the non-storm water discharge, including disposal options, recycling, and possible discharge to the sanitary sewer (if within POTW limits).
  - (2) Provide Program information to the responsible party, where appropriate.
  - (3) Begin enforcement procedures, if appropriate.
  - (4) Continue inspection and follow-up activities until the illicit discharge activity has ceased

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
This is standard operating procedure, as discussed in the "Legal Authority to Implement" and "Illicit Connection and Illegal Discharge Elimination Response Plan" sections in the Appendix.

**Performance Standard #5.3: Enforcement/Follow Up**

- If an illegal discharge is traced to a commercial or industrial activity, coordinate information on the discharge with the jurisdiction's commercial and industrial facility inspection program.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
This is standard operating procedure since the Fire Department's Environmental Safety Division inspectors are responsible for both industrial/commercial inspections as well as illegal discharge enforcement and follow-up.

**PERFORMANCE STANDARD #6.1: Record Keeping/Reporting**

- Document and maintain reports describing the results of the program on an annual basis.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
This is currently being performed by the Environmental Safety Division. A copy of the field reporting form to document illicit connections and illegal discharges is included in the Appendix. This reporting form is used by all inspectors.

**Performance Standard #6.2: Record Keeping/Reporting**

- Maintain documentation of illicit connection and illegal dumping incidents; submit results to the Regional Board upon request.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
This information recorded on the Illicit Connection/Illegal Dumping reporting form is forwarded to the inspector assigned to data entry. This information is recorded in the City's environmental database.

**Performance Standard #6.3: Record Keeping/Reporting**

- Develop a tracking system designed to identify and prioritize specific areas for pro-active investigations in order to:
  - (1) Determine the appropriate frequency for repeat inspections of high, medium, and

low priority areas based on an investigation of the municipality's entire drainage area.

- (2) Determine the number of cross jurisdictional violations (for example, mobile cleaners), seasonal violations, and interagency duplication.
- (3) Review complaint response data.

**Responsible Division:**

Environmental Safety Division, Fire Department

**Implementation Procedures:**

Information on all IC/ID responses is entered into the city's environmental database. This includes IC/ID responses from complaints and referrals, field investigations, inspections, etc. Once a response is entered into the database, the database is searched to determine the frequency of responses at that address or with that business owner. If it is determined that previous violations have occurred, the enforcement process is escalated and inspection frequency may be increased.

Annually, the summary of all IC/ID responses is printed out for inclusion in the annual report. This report includes:

- numbers and types of illicit connections detected;
- methods used to detect sources;
- remedial actions taken;
- numbers and types of enforcement actions taken.

**Performance Standard #7.1: Effectiveness Evaluation**

- Review annually the IC/ID Performance Standard and internal investigation results; assess whether goals were met and what changes or improvements are necessary.

**Responsible Division:**

Environmental Safety Division, Fire Department

**Implementation Procedures:**

The annual summary investigation report is reviewed to identify trends and evaluate:

- where outreach and education should be emphasized;
- identification and minimization of illegal discharges;
- elimination of illicit connections;
- appropriateness and timeliness of spill response activities; and
- appropriateness and effectiveness of enforcement procedures.

**Performance Standard #7.2: Effectiveness Evaluation**

- Obtain feedback from complaining parties, other agencies, or citizens, on your agency's response to their concern or complaint.

**Responsible Division:**

Environmental Safety Division, Fire Department

**Implementation Procedures:**

The entire City uses a "How Are We Doing?" evaluation card to assess response effectiveness from its residents and businesses. These cards are handed out by City employees when they

**Addition to Performance Standard #6.3: Record Keeping/Reporting**

- (4) If an illegal discharge involves a storm water infiltration device (SWID), complete a SWID notification card. Return one copy to the Santa Clara Valley Water District's Water Quality Unit and one copy to the Santa Clara Valley Urban Runoff Pollution Prevention Program.
- (5) Identify and document conditionally exempted discharges (CEDs).

*\*Add to the existing Standard Operating Procedure for Performance Standard # 6.3.*

are in the field. The Fire Chief and Environmental Safety Manager reviews all replies, provides comment, and offers suggestions for improvement where necessary. A copy of this card is attached in the Appendix.

**Performance Standard #7.3: Effectiveness Evaluation**

- Regularly evaluate how the city's interagency IC/ID referral system works.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

The City would know if the referral systems were not working by a long dearth of referrals from any particular group or agency or complaints from these particular groups or agencies. If these were to happen, the Environmental Safety Division would contact the agency or group to investigate the cause of the problem and work cooperatively with them to rectify it.

**Performance Standard #7.4: Effectiveness Evaluation**

- Obtain feedback from personnel assigned to respond to, or inspect for, illicit connections and illegal dumping incidents.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

This is an on-going process. The Environmental Safety Division obtains feedback from its own inspectors, firefighters, and City employees, continually. The Environmental Safety Division takes the lead in addressing concerns and questions, as well as making improvements when shortfalls are identified.

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: January 14, 2002

TO: City of Mountain View Urban Runoff Management Plan

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **Enhanced ICID Reporting Requirement**

The purpose of this memo is to update the City of Mountain View's Urban Runoff Management Plan. The City has revised its existing ICID database to comply with the SCVURPPP NPDES Permit Provision 5 a.ii, which required enhanced reporting for the ICID control program. The City revised its existing database using the recommendations that were listed in the IND/ICID Reporting Ad-Hoc Task Group's September 7, 2001 memorandum. Changes to the City's ICID database include:

1. Added categories for "Source of Incident Report,"
2. Revised the database to report "Potential Source of ICID Incidents,"
3. Revised the database to include all recommended incident type categories, and
4. Included recommended follow-up and enforcement categories.

With the revisions that were made to the database, the City will be able to provide summary reports similar to Tables 1, 2, and 3 in Appendix B of the IND/ICID AHTG memorandum.



**Santa Clara  
Valley Urban  
Runoff Pollution  
Prevention Program**

**Continuous Improvement of  
Illicit Connection/Illegal Dumping  
Reporting Technical Memorandum**

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**To:** Management Committee **Date: (Draft August 16, 2001)  
Final September 7, 2001**

**From:** **IND/ICID Reporting Ad-Hoc Task Group**  
Carol Fredrickson (City of San Jose); Eric Anderson (City of Mountain View);  
Roberto Medina (City of Palo Alto); Robert Gallo (City of Sunnyvale); Sheila  
Tucker (West Valley Communities); Brett Calhoun (SCVWD); Paul Randall  
(SCVURPPP)  
(Job SC27.03)

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**Recommendations**

The AHTG recommends the following:

- The SCVURPPP use the categories for source of incident report, potential sources of ICID incidents and type of incident, and follow-up and enforcement actions to satisfy new permit requirements for reporting ICID Program summary information in Annual Report.
- Use the changes to ICID incident type categories described in this memo.
- Discontinue using Table 3: Model Format for Annual Reporting and instead use new reporting format described in this memo.
- Continue development of Program-wide ICID database.
- Co-permittees send ICID information electronically to Program staff for analysis and for producing summary tables in Annual Report.

**Background**

In February 2001, the San Francisco Regional Water Quality Control Board (RWQCB) reissued the Santa Clara Valley Urban Runoff Pollution Prevention Program's Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit. The Permit contains a number of new or enhanced annual reporting requirements for the Illicit Connection Illegal Dumping Control Program. Provision 5a.ii. in the permit states:

“Enhanced annual reporting for this program area shall, at a minimum, include number of responses to reports of potential impacts to water quality, complaints, spills, and other similar reports. These should be, at a minimum, characterized as to report source, nature of the report, location of the event, reported source of pollutants, and follow-up and investigations, if any. In addition, for any actual non-compliance or threatened non-compliance noted during investigation of the report, the nature of follow-up will be reported, through resolution of the noted issue, up to and including enforcement action.”

Dischargers are expected to describe these reporting procedures in the September 2001 Annual Report and begin implementing procedures thereafter.

In early 2000, Program ad-hoc task groups recommended, and the Program Management Committee approved, recommendations for improvements to the way Co-permittees manage the reporting and compilation of ICID incidents (Technical Memoranda for FY 99-00 Projects SC22.53 and SC22.54). In addition, as part of the Stormwater Environmental Indicators Demonstration Project (SEIDP), the Technical Memorandum for Indicator #21 made specific recommendations regarding revising categories for ICID incident reporting, storing ICID incident data in a relational database and georeferencing ICID data.

To evaluate the feasibility of developing a Program-wide format for documenting ICID incidents and storing and maintaining records in a relational database, the FY 01-02 Monitoring Project Task #1 and Task SC27.03 in the 01-02 Monitoring Plan were identified. On February 15<sup>th</sup> 2001, the Management Committee approved the formation of an Ad Hoc Task Group (AHTG), which included representatives from the Cities of San Jose, Palo Alto, Sunnyvale, Mountain View, West Valley Communities and the Santa Clara Valley Water District to evaluate and develop these enhanced reporting procedures.

**Reporting Source of ICID Incident Report**

The members of the AHTG document source of incident reports in their respective databases; however, this information is not currently reported in the Annual Report. The AHTG identified the range of sources that generate ICID incident reports and recommended five standardized report source categories to be used in new reporting format (Table 1).

Table 1. Categories describing the nature and source of ICID incident reports recommended by AHTG to be used for new reporting requirements.

Source of Report	Definition
Illicit discharge inspectors	Routine inspection, patrols
Interdepartmental	Referrals within agency, including channel and road maintenance crews, construction inspectors
Other agency	Referrals from other agencies, including other municipalities, SCVWD, State and County Health Departments
Citizen Complaints	Calls from public
Other	None of the above

The AHTG contacted Jan O’Hara of the Regional Board to determine the meaning of “nature of report” as described in the new permit requirements. Jan described the Board’s intent of requiring source and nature of report was for Co-permittees to identify the origin of report. The AHTG felt the above five categories satisfy this requirement.

**Reporting Potential Source of Incident**

The AHTG discussed using geographic location and business/land use categories, as two different approaches to report location of ICID incident in the Annual Report. In addition, the AHTG discussed the utility of using location information to investigate trends.

One approach is to report the geographic location of ICID incidents. Street addresses of ICID occurrences can be converted into geographic coordinates and then summarized in a variety of ways, including by watershed, storm drain catchment, or land use using a GIS. The SEIDP

Indicator #21 memorandum recommended georeferencing ICID data to identify the spatio-temporal patterns of incidents to guide future targeted pollution prevention efforts.

The AHTG discussed the utility of using a GIS to investigate trends in ICID incidents. Mountain View used a mapping program (CAMEO) to identify locations of ICID incidents for 2 years, but discontinued after finding no spatial relationships among incidents (An example of a spatial relationship could be incident type correlating with land use or facility types). SCVWD has started to use GIS for their ICID Program, but so far have not observed any spatial patterns. Consensus among AHTG members was that ICID incidents are usually too random and quickly resolved to establish any observable trends in dumping incidents. Inspectors in the AHTG typically focus on the activity causing illegal dumping rather than the geographic location of incidents as a basis for detecting trends and focusing pollution prevention efforts. The AHTG felt that GIS can help to identify hot spots, but inspectors typically already know where these areas occur. Co-permittees are continuing to investigate the utility of GIS for the ICID Program in the future.

An alternative approach to report ICID incident location is to classify incidents by business sector and land use type. Businesses and land uses associated with ICID incidents can be targeted by Co-permittees for public outreach efforts and BMP implementation. In addition to three major land use categories (residential, commercial and industrial), the AHTG identified and defined five different categories that describe potential sources of ICID incidents (Table 2). The AHTG included automotive, food service facilities and construction areas as specific categories because they are associated with activities with significant potential to pollute storm water. Automotive and food facilities are potential sources for commercial land use. The definitions in Table 2 describe the various types of businesses that are represented for each of the categories. The AHTG recommends using these eight categories to satisfy new reporting requirements.

In situations where facility type can not be identified, land use can become the potential source of incident. Land use type needs to be documented for each incident type so municipalities can calculate storm drain fees.

Table 2. Target group categories associated with ICID incidents, recommended by AHTG to be used for new reporting requirements.

Potential Source of Incident	Definition
Residential	Houses or apartments.
Industrial	Industrial facilities or land use area.
Commercial	Commercial facilities or land use area (not including automotive or food facilities).
Automotive Facilities	Includes all automotive facilities, including engine and body repair, gas stations, sales and other vehicle services.
Food Facilities	Includes all food facilities, including restaurants, cafeterias, delis, bakeries, mobile food, and grocery stores.
Construction Sites	Includes all construction related activities.
Public facilities and Utilities	Publicly or utility owned sites and projects (corporation yards, transportation or right of ways).
Other/unknown	All other target audiences associated with ICID incidents, or when specific target audiences can't be identified.

### Reporting Type of Incident

Co-permittees currently report ICID incident types using Table 3 (hereafter Model Format) in their Annual Reports (Appendix A). Program staff created the Model Format in 1993 at the request of the Regional Board in an effort to standardize Co-permittee's reporting of illegal dumping incidents. Over time, Co-permittees have modified the Model Format to improve their reporting and tracking efforts. For example, the City of San Jose reorganized ICID incident types into customer class subgroups to enhance efforts of identifying appropriate sectors to target program outreach. In 1999, with Regional Board approval, the SCVWD adopted a new format to report their illegal dumping incidents that included information on pollutant material and source, jurisdiction, and watershed where ICID incidents occurred.

In the FY98-99 Annual Report, City of San Jose recommended a continuous improvement item for the ICID Program would be to create better definitions for incident types in the Model Format in an effort to avoid duplication and confusion about the categories. In addition, SEIDP Indicator #21 memorandum recommended changing ICID categories to better describe specific activities that could be targeted by inspectors and improve reporters' ability to associate pollutant types with the incidents.

The AHTG agreed to revise the ICID incident types listed in the Model Format to better describe problematic activities or behavior and use these categories to satisfy new reporting requirements. In addition, changes made to ICID incident types were documented in order to allow tracking of Model Format into new format categories. The AHTG also attempted to reduce the redundancy of incident categories in the Model Format by categorizing the target audience for each incident separately (Table 2).

In total, the AHTG identified 26 illegal dumping activities, and three other more general categories that described illicit connections, conditionally exempt discharges and no discharge found (Table 3). Table 3 lists each category, its definition and its corresponding incident type originally listed in the Model Format. Some of the illegal dumping incident types listed in Table 3 were either combined into a single category or renamed to better describe the activity associated with the discharge. For example, oil dripping, radiator fluid and fuel leaking were combined into a single category called vehicle and equipment leaking. Renamed categories included changing sediment to tracking soil, asphalt cuttings to saw cutting slurry, parking lots to surface cleaning and sumps to dewatering. Surface cleaning and saw cutting slurry include a wider range of activities than implied from the old category name.

Table 3. Category name and definition of ICID incident types defined by AHTG and corresponding incident type listed in Model Format.

AHTG Incident Type Category	AHTG Definition (Discharges are defined as releases potentially resulting in pollutants entering stormwater conveyance systems and/or surface waters.)	Model Format incident type
<b>Significant Changes to Category Names</b>		
Tracking soil	The movement of soil and other materials from vehicle or heavy machinery operation resulting in discharge. Typically occurring at construction sites	Sediment
Saw cutting slurry discharge	The cutting of Asphalt, Cement, Concrete, etc. that results in a saw cut slurry discharge.	Asphalt cuttings
Surface cleaning discharge	The washing of toxic materials such as oil, antifreeze, grease, as well as cleaning chemicals used to clean parking lots, sidewalks, buildings or other surfaces, that results in discharge.	Parking lots

Vehicle & equipment leaking	The leaking of fluids from automobiles, trucks, heavy machinery and other equipment , including but not limited to: brake fluid, radiator fluid, motor oil, transmission fluid, battery acid, etc. resulting in discharge.	Fuel leaking, oil dripping, radiator draining/fluid
Dewatering	Contaminated water from construction areas resulting in discharge.	Sumps
<b>New Category</b>		
Water line breaks	Unplanned release of water from break in water pipes and potential soil erosion resulting in discharge.	NA
Landscape material dumping	The illegal dumping of landscape materials resulting in discharge.	NA
SWIDs	Storm Water Infiltration Devices	NA
<b>Slight or No Change to Category Name</b>		
Vehicle washing	The washing of vehicles that results in discharge.	Washing Cars
Vehicle repair	The illicit discharge of automotive fluids or contaminated water from vehicles associated with activities such as oil changing, radiator flushing that result in discharge.	Car Repair
Used oil dumping	The illegal dumping of motor oil resulting in discharge.	Used oil dumping
Un-hardened cement discharge	The washing of cement and/or the rinsing of cement mixing and laying equipment resulting in discharge.	Cement Washing
Equipment cleaning	The washing of equipment using solvents resulting in discharge.	Equipment cleaning
Dumpster discharge	Dumpster that is exposed to rainwater and/or contains leaks resulting in discharge.	Dumpster
Pools/Spas/Fountains discharge	The release of contaminated pool, spa and/or fountain water resulting in discharge.	Pools/Spas
Cooling water discharge	The release of contaminated water associated with flushing, leaking or blow down of cooling towers.	Cooling water
Accidental spills	Accidental releases of pollutants resulting in discharge.	Spills
Abandoned drums discharge	Drums of hazardous or non-hazardous materials dumped and exposed to rainwater or runoff, which results in discharge.	Abandoned drums
Sanitary spill or leak	Accidental release from sanitary sewer system resulting in discharge.	Sewage spills
Dumping - hazardous	Improper disposal of hazardous materials, as defined in California Code of Regulations.	Illegal dumping
Dumping – non-hazardous	Improper disposal of materials not considered hazardous, resulting in discharge. Materials include but are not limited to, construction materials, animal waste, medical waste and pesticide.	Illegal dumping
Grey water discharge	The release of contaminated water associated with wash water discharge.	Grey water
Carpet cleaning discharge	The dumping of contaminated water collected during the cleaning of carpets resulting in discharge.	Carpet cleaning
Paint discharge	The dumping or paint and/or the washing of painting equipment resulting in discharge.	Paint
Food Facility Oil & grease discharge	Fats, Oils or Grease released from improperly maintained grease traps resulting in discharge.	Oil & grease
RV Waste discharge	The dumping of wastes collected in Recreational Vehicles resulting in discharge.	RV Waste
Allowable discharge	Discharges that do not pollute storm drain or do not pollute storm drain when proper control measures are implemented. These include irrigation, car washing (residential), water releases, and pumped water from foundation and footing drains	Incidents labeled as conditionally exempt
Misc. incidents	Any type of discharge not listed above. Including, but not limited to sediment laden water and animal waste	Misc. incidents

Illicit connections	An improperly plumbed facility or parcel plumbed to the storm sewer instead of the sanitary sewer	Illicit connections
Complaint not found	Complaint not found	

Definitions of the more general incident types listed in Table 3, such as illegal dumping (hazardous and non-hazardous) and spills, would provide Co-permittees guidance as to when they are applicable. For instance, illegal dumping - hazardous was defined as improper disposal of hazardous materials (as defined in Title 22, Division 4.5, Chapter 10, Article 2 of the California Code of Regulations), resulting in discharge. Illegal dumping non-hazardous category would include all other materials, with the exception of those incidents that have their own category, such as paint discharge and motor oil dumping.

New categories added to the ICID incident types included water line breaks, landscape materials and Storm Water Infiltration Devices (SWIDs). Water line breaks could be considered a conditionally exempt discharge (under Water Releases) when proper control measures are implemented; however, the City of San Jose felt control measures are infrequently applied and these incidents should be tracked as a separate category. The AHTG agreed that the remaining conditionally exempted discharges (Foundation drains etc., and other Water Releases), however, should be combined into a single category called allowable discharge. These incidents are tracked so the inspectors can document all of their responses to complaints. Landscape material dumping was added as a category because of its increasing frequency of occurrence and to improve Program's ability to track changes related to pollution prevention efforts.

Potential source of incident and ICID incident type need to be documented and reported together to facilitate investigation of trends and identify target audience to focus Program outreach. In addition, Co-permittees should use potential sources of incident and ICID incident categories described in Tables 2 and 3, so reporting will be consistent from year to year and Program-wide.

#### **Reporting Follow-up and Enforcement Actions**

The members of the AHTG document enforcement actions in their respective databases; however, this information is not currently reported in the Annual Report. The AHTG identified six categories describing follow-up and enforcement actions used by their agencies and recommend these are used for new reporting requirements (Table 4).

Table 4. Categories describing enforcement actions recommended by AHTG for new reporting requirements.

<b>Category</b>	<b>Description</b>
Verbal Notice	Verbal warning providing information for corrective actions
Warning Notice	Written letter providing information for corrective actions
Administrative Action	Official letter describing requirements and consequences
Administrative Action with Penalty &/or Fine	Administrative actions, including fines
Criminal Action	Legal actions
Referral for Enforcement	Refer case to agency with enforcement powers

#### **Reporting Format**

The AHTG felt it is not necessary to continue using the Model Format for reporting ICID Program information in the Annual Report. Co-permittees could integrate the categories for incident type and target groups identified by the AHTG into their databases and create standardized summary tables for their Annual Reports. Similarly, source of ICID incident report and follow-up and enforcement actions could be summarized for the entire year and reported in

the Annual Report. An example of a new reporting format using these categories is shown in Tables 1-3 in the Appendix B.

**Implementation of Reporting Format**

As noted, it is recommended that the Co-permittees use the fields and categories recommended in this memo and incorporate them into their current documentation procedures. This would increase the consistency between the various Co-permittees and greatly simplify summarizing the information for the Program's Annual Reports. In general, the reporting information requested in the new permit are already being documented by the agencies representing the AHTG and satisfying the requirements would only require small changes to municipal databases and reporting procedures. The AHTG members did not feel making these changes would be a problem for their respective agencies. However, the Co-permittees may choose to continue with their current system and translate the results as part of preparation of their annual reports and the Program's annual report. However, for the purposes of future Annual Reports, the Program staff are in the initial phases of compiling electronic versions of the Co-permittees databases and may need to work out separate translation approaches with individual Co-permittees.

## APPENDIX A



*Discontin*

TABLE 3 – Model Format

(Co-permittees Name) Illegal Dumping and Illicit Connection Incident Type(s)

TYPE OF INCIDENT	NUMBER OF INCIDENTS
<b>Auto Dealers</b> Washing Cars	
<b>Auto Shops</b> Radiator Fluid Waste Water	
<b>Auto-Residential</b> Fuel Leaking Car Washing* Car Repair Radiator Draining	
<b>Oil Dripping</b> Residential Apartments Other	
<b>Commercial</b> Irrigation*	
<b>Construction</b> Sediment Asphalt Cuttings Other Materials	
<b>Carpet Cleaning</b>	
<b>Cement Washing</b> Commercial Industrial Residential	
<b>Responses to Non-problems</b> No Discharge Allowable Non-storm Water Discharge	
<b>Cooling Water</b>	
<b>Drums Abandoned</b>	
<b>Equipment Cleaning</b> Commercial Residential Industrial	
<b>Grocery Store</b> Dumpsters Grey Water	
<b>Foundation Drains, Crawl Space Pumps &amp; Footing Drains*</b>	

TYPE OF INCIDENT	NUMBER OF INCIDENTS
<b>Gas Stations and Vehicle Service Facilities</b> Washing Cars Radiator Fluids	
<b>Industrial</b> Fuel Leaking	
<b>Paint</b>	
<b>Parking Lots</b>	
<b>Pools &amp; Spas</b>	
<b>Residential</b> Grey Water Sediment Irrigation*	
<b>Restaurants</b> Dumpsters Grey Water Oil & Grease	
<b>RV Waste Dumping</b>	
<b>Sewage Spills</b>	
<b>Shops (Non Auto) Washing</b>	
<b>Spills</b>	
<b>Sumps</b>	
<b>Used Oil Dumping</b> Res.-Apt. Res.-Other Comm.-All	
<b>Water Releases*</b> (uncont. pumped groundwater, potable water, line and hydrant)	
<b>Misc. Incidents (total)</b> Resolved Under Investigation	
<b>Illegal Dumping (total)</b> Resolved Under Investigation	
<b>Illicit Connections (total)</b> Resolved Under Investigation	

- Conditionally Exempt Discharges

## APPENDIX B

Table 1. Incident types associated with potential source of incident.

ICID incident type	Residential				Commercial					Industrial				Total	
	Construction	Public Facilities & Utilities	Other	Subtotal	Automotive	Food Facilities	Construction	Public Facilities & Utilities	Other	Subtotal	Construction	Public Facilities & Utilities	Other		Subtotal
Tracking soil															
Saw cutting slurry discharge															
Surface cleaning discharge															
Vehicle & equipment leaking															
Dewatering															
Water line breaks															
Landscape material dumping															
SWIDs															
Vehicle washing															
Vehicle repair															
Used oil dumping															
Un-hardened cement discharge															
Equipment cleaning															
Dumpster discharge															
Pools/Spas/Fountains discharge															
Cooling water discharge															
Accidental Spills															
Abandoned drums discharge															
Sanitary spill or leak															
Dumping - hazardous															
Dumping -- non-hazardous															
Grey water discharge															
Carpet cleaning discharge															
Paint discharge															
Oil & grease discharge															
RV Waste discharge															
Allowable discharge															
Misc. incidents															
Illicit connections															
Complaint not found															
Total															

Table 2. Total number of sources of incident reports.

<b>Source of Incident Reports</b>	<b>Total</b>
Illicit discharge inspectors	
Interdepartmental	
Other agency	
Citizen Complaints	
Other	

Table 3. Total number of enforcement actions.

<b>Follow-up and Enforcement Actions</b>	<b>Total</b>
Verbal Notice	
Warning Notice	
Administrative Action	
Administrative Action with Penalty &/or Fine	
Criminal Action	
Referral for Enforcement	

Performance Standard and Supporting Documents for  
Illicit Connection & Illegal Discharge Elimination Activities

CITY OF MOUNTAIN VIEW ANNUAL REPORT FORM

The form listed below will be submitted as the City's Annual Report. The Annual Report will identify whether the City of Mountain View has complied with the Illicit Connection & Illegal Discharge Elimination Activities performance standard during the previous year. Additional supporting documentation will be maintained at City offices and made available for public review.

**Resource Commitment**

- 1) Have you identified where responsibility for IC/ID enforcement is located within your jurisdiction?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

**Training/Education/Outreach**

- 2) Have your IC/ID inspectors received necessary training?  
 Yes  No If yes, describe the training provided during the past year.  
If no, provide a detailed explanation and time schedule for implementation.
- 3) Have you implemented appropriate outreach efforts to reduce non-permissible non-storm storm water discharges?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 4) Have you conducted annual spill response drills (if no event occurred to evaluate your plan) in cooperation with other agencies or industries?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 5) When a responsible party for an illegal dumping incident and/or illicit connection to the storm drain system has been identified, have you educated the party on the impacts of their actions?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

**Complaint Referral/Incident Response System**

- 6) Have you followed existing spill response and clean-up programs used within the City?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 7) Have you developed and/or are you implementing a formalized inter-agency referral process for internal referrals (within a co-permittee's jurisdiction) and referrals between co-permittees?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

### Field Investigations

- 8) Have you conducted field investigations which include inspecting portions of the municipal storm drain system for potential sources of non-storm water discharges?  
 Yes  No If yes, describe the investigations completed during the past year.  
If no, provide a detailed explanation and time schedule for implementation.
- 9) Are observed discharges referred to the appropriate agency?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 10) Are you pro-actively conducting field investigations of high priority areas?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 11) Are you responding to complaints regarding illegal dumping violations into the storm drain system within the jurisdiction?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

### Enforcement/Follow-up

- 12) Have you conducted the following activities, or coordinated the following activities with the appropriate agency, for illegal discharges or illicit connections traced to commercial, residential and industrial sources:
- (a) Contacted the responsible party to discuss methods of eliminating the non-storm water discharge, including disposal options, recycling, and possible discharge to the sanitary sewer (if within POTW limits).
  - (b) Provided Program information to the responsible party, where appropriate.
  - (c) Began enforcement procedures, if appropriate.
  - (d) Continued inspection and follow-up activities until the illicit discharge activity has ceased.  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 13) Have you coordinated information on commercial and industrial discharges with your jurisdiction's commercial and industrial facility inspection program?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

### Record Keeping/Reporting

- 14) Have you maintained documentation of illicit connections and illegal dumping by incident type?  
 Yes  No If yes, provide a summary of incidents responded to during the year.  
If no, provide a detailed explanation and time schedule for implementation.
- 15) Have you developed and/or are you implementing a tracking system designed to identify and prioritize specific areas for pro-active field investigations?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

### Effectiveness Evaluation

- 16) Are you annually reviewing the IC/ID Performance Standard and internal investigation results; assessing whether goals were met and what changes or improvements are necessary?  
 Yes  No If yes, include the annual effectiveness evaluation in this report.  
If no, provide a detailed explanation and time schedule for implementation.

- 17) Are you obtaining feedback from complaining parties, other agencies and citizens on your agency's response to concerns or complaints?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 18) Are you regularly evaluating how the city's interagency IC/ID referral system works?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 19) Are you obtaining feedback from personnel assigned to respond to, or inspect for, illicit connections and illegal dumping incidents?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

# APPENDICES



URBAN RUNOFF PROGRAM:  
ILLICIT CONNECTIONS/ILLEGAL DISCHARGE REPORTING FORM

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_ Date: \_\_\_\_\_  
Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_ Date: \_\_\_\_\_  
Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_ Date: \_\_\_\_\_

Type of Inspection: \_\_\_\_\_ *Illegal Discharge* \_\_\_\_\_ *Illicit Connection*

Reason for Inspection: \_\_\_\_\_ *Complaint/Referral* \_\_\_\_\_ *Routine Inspection*

Contact Name(s): \_\_\_\_\_

Incident Address: \_\_\_\_\_

Incident Description: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Physical Test Performed? \_\_\_\_\_ . If "yes", describe: \_\_\_\_\_

Lab Analysis Performed? \_\_\_\_\_ . If "yes", describe: \_\_\_\_\_

Follow-Up Action Taken (include any handouts/brochures distributed): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Enforcement Action Taken: \_\_\_\_\_ *None* \_\_\_\_\_ *Written Notification*  
\_\_\_\_\_ *Penalty/Fine for* \$ \_\_\_\_\_

Status: \_\_\_\_\_ *Resolved* \_\_\_\_\_ *On-Going*

Routing: Preparer -- Eric Anderson-- NPS File

**CITY OF MOUNTAIN VIEW FIRE DEPARTMENT  
ILLICIT CONNECTION/ILLEGAL DISCHARGE  
ELIMINATION RESPONSE PLAN**  
(Revised 7/97)

The purpose of this document is to describe the City of Mountain View's procedure for the detection and elimination of illicit connections and illegal discharges into the storm sewer system. Incidents of illicit connections and illegal discharges are typically identified by creek investigations, storm sewer system investigations, facility inspections, facility notification, citizen complaints and public agency referrals. The City's response plan is described below:

**I. Nonhazardous Materials, Hazardous Materials and Toxic Substances Discharges**

**Notifications:** Calls sent to Mountain View Communications (9-1-1) are dispatched as follows:

1. Fire Department—(9-1-1) or (415) 903-6378.
  - a. Hazardous Emergency Action Team (H.E.A.T.) (if the discharge is hazardous, unknown or occurs on holidays, weekends or after hours).
  - b. Environmental Safety Division (all incidents).
2. Wastewater Division—(415) 903-6329.
3. State of California Office of Emergency Services (if hazardous)—(510) 646-5908.
4. Department of Fish and Game (if spill reaches receiving water)—(707) 944-5512.

Calls from other agencies, including the Santa Clara Valley Water District, will be routed to either Emergency Communications (9-1-1) or the Environmental Safety Division ((415) 903-6378).

Switchboard personnel have all emergency phone numbers listed above, as well as call-out lists entered into their Computer-Aided Dispatch (CAD) system.

**II. Initial Investigation and Response**

Investigation of significant hazardous materials or unknown discharges takes place immediately by trained Fire Department personnel.

Investigation by the Environmental Safety Division of non-emergency discharges occurs within two working days of the referral.

The initial response priority is to contain the spill or discharge immediately to prevent any additional pollutant discharge to the storm drain. If pollutants have already reached the storm

drain system, the Public Services on-duty person is contacted and the Vac-Con is requested to clean out all affected drain inlets and piping. If pollutants have already reached a waterway, response personnel will attempt to corral the spill using booms and either absorb it or vacuum it up using the Vac-Con.

First responders are provided with spill response training on an annual basis as part of a City-wide staff training program. This training includes review of local storm water ordinance requirements and appropriate responses to incidents, as described above.

Information/resources available to first responders include:

- Chapter 35, Mountain View City Code, which regulates non-storm water discharge to the storm drain;
- Field "Hazcat" kit, which aids in categorizing and identifying unknown chemical spills;
- An "Emergency Response Resources" index, which identifies outside resources such as cleanup contractors;
- "CAMEO" computer program for modeling chemical spill plumes and identifying chemical behavior;
- City storm drain maps available from on-call Utilities Division personnel, which can assist in storm drain cleaning; and
- Various brochures describing pollution prevention Best Management Practices.

### **III. Methods for Tracking Sources of Illicit Connections/Illegal Discharges**

Aside from complaints and referrals, the City tracks illicit connections and illegal discharges by performing creek investigations, storm sewer inspections and facility inspections.

1. Creek investigations are employed to track dry-weather flows, which may indicate illicit connections or illegal discharges. The City uses the methods that are described in the Program's "Manual for the Investigation and Elimination of Illegal Dumping" to track possible illegal discharges. This includes using smoke and dye tests to assist in determining the source of the discharge.
2. City Wastewater Division crews perform storm sewer inspections and maintenance activities. Questionable conditions in the storm sewer system are referred to the Environmental Safety Division for follow-up investigations.
3. Illicit connections and illegal dumping incidents may also be observed or noted during the Environmental Safety Division's facility inspections.
4. The City of Mountain View also uses video equipment to film the storm sewer system. The video record is also used to track possible illicit connections.

#### **IV. Site Cleanup**

1. Once the spill is contained and controlled, all affected areas must be cleaned up. As described above, cleanup of city-owned storm drain inlets and pipelines is conducted by City staff (Wastewater Section of the Utilities Division). Cleanup of spills on private property is performed by the spill generator.
2. When a responsible party can be found, the City will be the responsible party for its cleanup services.

#### **V. Education**

1. Education about proper waste disposal is ongoing. The target groups for the education outreach includes residential, industrial, vehicle service and various commercial facilities. Education outreach objectives are described in the City's "Public Education and Outreach Master Plan".

#### **VI. Follow-Up to Illegal Dumping Incidents**

1. The follow-up to an illegal discharge incident will include cleanup activity as well as appropriate communicative measures. These measures can include discussions and written information in the form of brochures, follow-up directives to the responsible party, or initiation of enforcement proceedings (see below). Return visits to an affected area to ensure that dumping is no longer occurring is also a common practice.
2. At the end of each quarter, the Environmental Safety Manager conducts a review of all discharge reports to assure follow-up has been conducted and/or enforcement actions are proceeding.

#### **VII. Enforcement Actions**

1. The field investigator has the authority to make the determination as to what enforcement action, if any, should be taken. This determination is based on a number of factors, including the degree of hazard of the discharge, the quantity/amount of discharge, whether the discharger has been given any notices or other compliance directives in the past, etc.
2. The Mountain View City Code contains sections which prohibit the discharge of pollutants into the storm sewer system. The City Code is utilized for inspections and enforcement actions. Enforcement options include:
  - √ Issuing of citations if an illegal dumping incident is witnessed;
  - √ Assessment of administrative penalties;
  - √ Referral to City Attorney (civil prosecution);
  - √ Referral to Santa Clara County District Attorney (criminal prosecution)

### **VIII. Record Keeping**

1. Records of illicit connections and illegal discharge investigations are kept by the Environmental Safety Division via a filing system and a computer database. The Wastewater Section also maintains records of their activities related to illicit connections and illegal discharges.

**NOTE: ANY QUESTIONS REGARDING THE CITY OF MOUNTAIN VIEW'S ILLICIT CONNECTIONS AND ILLEGAL DUMPING RESPONSE PLAN AND ACTIVITIES SHOULD BE DIRECTED TO THE ENVIRONMENTAL SAFETY DIVISION—(415) 903-6378.**

## CITY OF MOUNTAIN VIEW ENFORCEMENT RESPONSE PLAN

### I. PURPOSE OF THIS DOCUMENT

To reduce duplication of effort between city departments and streamline the reporting and permitting requirements of multiple environmental programs for the business community, the City of Mountain View consolidated its environmental enforcement programs within the Environmental Safety Division of the Mountain View Fire Department. Many of the state and federal oversight agencies for these environmental programs require the local administering agency to have some sort of "enforcement response plan" to competently enforce the laws and regulations for their particular program. In an effort to avoid authoring a separate plan for each program administered by the city, a single comprehensive plan which covers all programs was deemed more appropriate. The purpose of this document is to describe the general flow of the enforcement escalation process as well as outline the enforcement actions available to the city while administering these programs.

### II. LEGAL AUTHORITY

Currently, the Environmental Safety Division of the Mountain View Fire Department administers and enforces the following programs within the city limits of Mountain View, California:

#### Environmental Program

• Hazardous Materials Program

#### Authority

Chpt. 24, MVCC &  
H&S Code, Div. 20, Chpt. 6.95, Art. 1  
Title 19 CCR Sec. 2620-2732

• Toxic Gas Program

Chpt. 24, MVCC

• Underground Storage Tank Program

H&S Code, Div. 20, Chpt. 6.7 &  
Title 23, Div.3, Chpt. 16 CCR

• Industrial Pretreatment Program  
(Sanitary Sewer Discharges)

Chpt. 35, MVCC & 40 CFR

• Santa Clara Valley Urban Runoff Program  
(Storm Sewer Discharges)

Chpt. 35, MVCC

• Hazardous Waste Generator Onsite Treatment  
(PBR, CA and CE tiers)

H&S Code, Div. 20, Chpt. 6.5 &  
Div. 4.5, Title 22 CCR

• Aboveground Storage Tank Program Spill  
Prevention Control and Countermeasure Plan

H&S Code, Div. 20, Chpt. 6.67,  
Sec. 25270.5(c)

### III. ENFORCEMENT PHILOSOPHY

The City of Mountain View's enforcement philosophy is to allow the responsible party every opportunity to succeed in complying with the directives issued. To promote this approach, inspection staff are trained to consider their primary function as that of educator and consultant resource, and only secondarily as enforcing agent. City staff explain and document all violations and offer options available for compliance. City staff also provide the responsible party lists of contractors, vendors, and other environmental professionals if requested, or if the inspector feels that such outside help is needed by the responsible party to achieve compliance. City staff work cooperatively with the responsible party during large or extended compliance projects to ensure that progress is continually being made towards full compliance.

### IV. ENFORCEMENT ESCALATION PROCESS (See attached diagram)

#### Initial Inspection

- A. An initial inspection may be conducted for a variety of reasons. These include:
- Routine or regularly-scheduled inspection (example: an annual inspection of a toxic gas facility or a wastewater discharger regulated under a federal category);
  - Non-routine inspection (example: an unannounced inspection of a painting contractor to assure that quantities of flammable liquids has not been increased to exceed his permit amounts);
  - Referral from an engine company or other fire inspector (example: an engine company calls to say they inspected a new woodworking facility which did not have a hazardous materials permit);
  - Referral from a city employee/division (example: personnel from the city's "streets" division call to report they witnessed a restaurant employee washing floor mats into the alley which discharges into the storm drain);
  - Referral from neighboring facility or resident (example: a neighborhood resident calls to complain they saw a carpet cleaning company dumping wastewater into the street).

B. The inspection process is described below. These items meet or exceed Health and Safety Code section 25185 as required for hazardous waste and tiered permitting (hazardous waste treatment) inspections.

- An inspector may enter and inspect a factory, plant, construction site, disposal site, transfer facility, or any establishment or any other place or environment where hazardous materials or hazardous wastes are stored, handled, processed, disposed of, or being treated to recover resources.
- An inspector may carry out sampling activities, including obtaining samples from any individual or taking samples from the property of any person or from any vehicle in which any inspector reasonably believes has transported or is transporting hazardous waste. However, upon request, split samples shall be given to the person from whom, or from whose property or vehicle, the samples were obtained.
- An inspector may stop and inspect any vehicle reasonably suspected of transporting hazardous wastes when accompanied by a uniformed peace officer in a clearly marked vehicle.
- An inspector may inspect and copy any records, reports, test results, or other information required to carry out enforcement of the environmental programs listed in this plan.
- An inspector may photograph any waste, waste or hazardous materials container, waste or hazardous materials container label, vehicle, waste treatment process, waste disposal site, or condition constituting a violation of law found during an inspection.

During the inspection, the inspector shall comply with all reasonable security, safety, and sanitation measures. In addition, the inspector shall comply with reasonable precautionary measures specified by the operator.

At the conclusion of the inspection, the inspector shall deliver to the operator of the facility or site a written summary of all violations ("SOV") alleged by the inspector. The inspector shall, prior to leaving the facility or site, deliver the written summary to the operator and shall discuss any questions or observations that the operator might have concerning the inspection.

When the number, type or complexity of the violations warrant such actions, the inspector may prepare a separate inspection report which fully detail all observations made at the facility or site, all alleged violations, the factual basis for alleging those violations, and any corrective actions that should be taken by the operator of the facility or site. The inspector shall provide a copy of the inspection report to the operator within two weeks of the inspection. The inspection report shall include all pertinent information, including, but not limited to, documents, photographs, and sampling results concerning the alleged violations. The inspector shall provide this information to the operator with the inspection report, including all photographs taken by the inspector in the course of the inspection and all laboratory results obtained as a result of the inspection. If sampling or laboratory results are not available at the time that the inspection report is prepared, that fact shall be contained in the report. Those results shall be provided to the operator within 10 working days of their receipt by the inspector.

The time period required by the above paragraph may be extended as a result of a natural disaster, inspector illness, or other circumstances beyond the control of the inspector if the Fire Department so notifies the operator and provides the inspection report to the operator in a timely manner after the reason for the delay is ended.

Information from the inspection report, or the report itself, may be withheld by the Fire Department if necessary to a criminal investigation or other ongoing investigation in which the Fire Department determines, in writing, that disclosure of the information will result in a substantial probability of destruction of evidence, intimidation of witnesses, or other obstruction of justice.

The Fire Department shall, at the operator's request, discuss the inspection report with the operator, review the inspection report and determine whether the operator's responses and documented or proposed corrective actions would be sufficient to comply with the requirements, or if any allegation of a violation is unwarranted.

The operator of the site or facility which receives an inspection report or SOV pursuant to the above shall submit a written response to the Fire Department within 60 days of receipt of the inspection report or SOV which shall include a statement documenting corrective actions taken by the operator or proposing corrective actions which will be taken by the operator, for purposes of compliance or disputing the existence of the violation. Upon receiving the written response from the operator, the Fire Department shall, upon the request of the operator, meet and confer with the operator regarding any questions, concerns or comments that the operator may have concerning the inspection report. The Fire Department shall, within 30 working days from the date of the SOV or receipt of a response which documents or proposes corrective action, or which disputes the existence of a violation, determine whether the corrective actions documented or proposed to be taken by the operator, if implemented as stated or proposed, will achieve compliance, or whether a violation is still alleged, as applicable, and shall submit a written copy of that determination to the operator, in the form of a report of violation or other appropriate document. If the Fire Department fails to make the determination and submit a copy of the determination within 30 working days from the date of receipt of the operator's response, the Fire Department may not seek penalties for continuing violations or any alleged new violations caused by the corrective actions taken by the operator, until the Fire Department submits the determination to the operator and provides the operator with a reasonable time in which to make necessary operational modifications which differ from those proposed to the Fire Department.

In lieu of requiring the operator of the site or facility to submit a written response to the Fire Department as described above, the Fire Department may waive this requirement; and choose to conduct



follow-up inspections to verify compliance, as described in the sections of this plan entitled "First Reinspection", "Second Reinspection", and "Third Reinspection".

Whenever information, including, but not limited to, documents, photographs, and sampling results, has been gathered, the Fire Department shall notify the person whose facility was inspected prior to public disclosure of the information, and upon request of that person, shall submit a copy of any information to that person for the purpose of determining whether trade secret information, as defined in Health and Safety Code section 25713, or facility security would be revealed by the information. "Public disclosure" shall not include review of the information by a court of competent jurisdiction or an administrative law judge. That review may be conducted in camera at the discretion of the court or judge.

### C. Minor ("Non-significant") violations

The majority of violations observed during the course of the initial inspection are minor violations and do not require immediate corrective action. The following examples describe minor violations:

- Failure to completely update an Environmental Compliance Plan;
- Failure to keep secondary containment dry;
- Failure to calibrate a pH probe;
- Threatened (not actual) illegal discharges to the sanitary or storm sewer.

The procedures for documenting these violations and corrective actions are described below. These items meet or exceed Health and Safety Code section 25187.8 as required for hazardous waste and tiered permitting (hazardous waste treatment) inspections.

A "Notice to Comply" ("NTC") shall be given to the facility operator before leaving the site. A facility which receives an NTC shall have not more than 30 days from the date of receipt of the NTC in which to achieve compliance with the permit conditions, rule, regulation, standard, or other requirement cited on the NTC. Within five working days of achieving compliance, an appropriate person who is an owner or operator of, or an employee at, the facility shall sign the NTC and return it to the Fire Department which states that the facility has complied with the NTC. In lieu of submitting this statement, the inspector may verify that compliance has been achieved during a follow-up inspection.

A single NTC shall be issued for all minor violations cited during the same inspection and the NTC shall separately list each of the cited minor violations and the manner in which each of the minor violations may be brought into compliance.

An NTC shall not be issued for any minor violation which is corrected immediately in the presence of the inspector. Immediate compliance in that manner may be noted in the inspection report, but the facility shall not be subject to any further enforcement action by the Fire Department for these violations.

Except as otherwise provided below, an NTC shall be the only means by which the Fire Department shall cite a minor violation. The Fire Department shall not take any other enforcement action against a facility which has received an NTC if the facility complies with this section.

If a facility that receives an NTC disagrees with one or more of the alleged violations listed on the NTC, the owner shall give the person who issued the NTC written notice of disagreement. If the issuing agency takes administrative enforcement action on the basis of the disputed violation, that action may be appealed.

Notwithstanding any other provision of this plan, if a facility fails to comply with an NTC within the prescribed period, or if the Fire Department determines that the circumstances surrounding a particular minor violation or combination of minor violations are such that immediate enforcement is warranted to

prevent harm to the public health or safety or the environment, the Fire Department may take any needed enforcement action authorized under applicable federal, state, and local codes and ordinances.

Notwithstanding any other provision of this section, if the Fire Department determines that the circumstances surrounding a particular minor violation or combination of minor violations are such that the assessment of a civil penalty pursuant to this chapter is warranted or is required, in addition to issuance of an NTC, the Fire Department shall assess that civil penalty in accordance with applicable federal, state and local laws, regulations and ordinances if the Fire Department makes written findings that set forth the basis for that determination.

An NTC issued to a facility pursuant to this section shall contain an explicit statement that the facility may be subject to reinspection at any time by the Fire Department. Nothing in this section shall be construed as preventing the reinspection of a facility to ensure compliance with the applicable environmental programs or to ensure that minor violations cited in an NTC have been corrected and that the facility is in compliance.

Nothing in this section shall be construed as preventing the Fire Department from requiring a facility to submit reasonable and necessary documentation to support the facility's claim of compliance.

#### D. Major ("Significant") violations

Typically, if a major violation is observed, immediate action is taken by the inspector to mitigate the problem. A major violation is defined as one which represents a "significant threat to human health and safety or the environment". Major violations would also include chronic violations or violations committed by recalcitrant violators. The following examples describe major violations:

- Hazardous or unsafe conditions: for example, an employee is seen welding near a gasoline tank;
- Illegal discharge to sanitary sewer: for example, a laboratory is discharging acidic solutions directly into the sanitary sewer without treatment;
- Illegal discharge to storm sewer: for example, a commercial facility is discharging vehicle wash water directly to the ground, which flows to a nearby storm drain;
- Illegal disposal of hazardous materials/waste: for example, an automotive repair facility dumps waste oil onto the fence line of the property.

When immediate action is taken, the NTC will usually require the responsible party to immediately cease the non-compliant action and may provide for appropriate follow-up by a certain time, typically within several hours.

#### **First Reinspection**

The first reinspection is conducted to visually evaluate the progress made towards complying with the NTC issued in the initial inspection record. If all violations noted in the initial inspection record's NTC have been complied with, the enforcement process ends. If not, any remaining minor violations are recorded in the first reinspection record as an SOV. This record again includes an NTC which specifies the time by which compliance shall be achieved.

#### **Second Reinspection**

The second reinspection is conducted to visually evaluate the progress made towards complying with the NTC issued in the first reinspection record. If all violations noted in the first reinspection record's NTC have been complied with, the enforcement process ends. If not, any remaining minor violations are recorded in the second reinspection record as an SOV. This record again includes an NTC which specifies the time by which compliance shall be achieved.

The second reinspection, and all subsequent inspections, are billed to the responsible party on a per-hour basis.

### **Notice of Violation**

A "Notice of Violation" may be issued to the responsible party when:

- Major violations are discovered or
- Minor violations have not been corrected or substantially corrected after the second reinspection.

The Notice is sent to the environmental contact of the responsible party via registered mail, as well as a copy to his/her superior. It essentially reiterates information already provided to the responsible party during the previous inspection, but emphasizes the severity of the situation, and provides written notice to more senior personnel. The Notice includes:

- An enumeration of the violations found;
- The inspection date(s);
- A directive to cease the violation immediately;
- A directive to investigate the cause of the problem (if applicable);
- A directive to report the findings of the investigation and provide evidence of return to compliance (if applicable);
- A directive to proceed with corrective actions; and
- A directive to complete prescribed corrective actions by a certain date.

The Notice may also stipulate a follow-up inspection date during which the inspector will visually evaluate the progress made towards complying with the violations recorded in the Notice.

### **Third Reinspection**

If all violations noted in the second reinspection record's NTC have been complied with, the enforcement process ends. If not, any remaining violations are recorded in the third reinspection record as an SOV, and enforcement action is escalated to the next step.

This inspection is billed to the responsible party on a per-hour basis.

## **V. ENFORCEMENT ACTIONS**

The inspector has a number of enforcement actions to choose from, depending on his/her judgement and experience as to which option will result in the most expeditious compliance:

### **1. "Stop Use" notice**

A "Stop Use" notice can address a specific piece of equipment if that equipment has not been permitted or is discharging wastewater illegally to the sanitary or storm sewer system. The inspector places the red "Stop Use" sign on the applicable piece of equipment. Should the inspector find that this equipment is being used after the sign is in place, a citation, infraction fine, or administrative penalty can be immediately assessed. The sign remains in place until the equipment is repaired, replaced or removed.

### **2. Citation (Criminal)**

Hazardous Materials Specialists and the Environmental Safety Manger are all authorized to issue field citations. Such a citation requires the inspector and responsible party to appear before a judge within 45 days. The judge makes the final determination on any compliance extensions and fines.

3. Amend existing permit

The inspector may choose to amend the responsible party's existing permit with additional or modified requirements. For example, a facility which has continually failed to update its ECP as required by ordinance may be additionally required in their permit to provide ECP updates every quarter.

4. Issue provisional permit

The inspector may choose to issue a provisional permit in place of the responsible party's full-term permit. Provisional permits describe the limited conditions under which the responsible party may continue its hazardous materials storage/use or wastewater discharge. Provisional permits are issued for a limited length of time (usually no more than 6 months). At the time of expiration of the provisional permit, the responsible party is required to have displayed full compliance with the directives issued so that a full-term permit can be re-issued.

5. Suspend/Revoke permit

The inspector may choose to suspend or revoke the responsible party's hazardous materials or industrial pretreatment permit. In such case, the applicable hazardous materials or wastewater producing equipment must be removed from the site within 30 days of written notice. Failure to remove the materials or equipment can result in issuance of a citation. Once the responsible party is able to demonstrate compliance with the directives issued, it must re-apply for a full-term permit.

6. Civil/Criminal litigation

Depending on the extent and severity of violations, as well as the degree to which the responsible party shows a genuine interest in correcting the violations, the inspector may refer the case to the District Attorney or City Attorney to pursue either civil or criminal litigation.

## VI. RECOVERY OF CITY CLEAN-UP COSTS

If the responsible party does not remove abandoned hazardous materials, or clean-up discharged materials from City or public property (such as gutters, storm drains and creeks) the City may conduct the work. If so, the responsible party is billed by the City for time and materials. This billing procedure is conducted separately from any penalty action taken (described below).

## VII. PENALTIES/FINES

The main purpose of a penalty/fine is to create an incentive for future compliance and to insure that the responsible party does not financially benefit from a failure to comply with the environmental programs administered by the City. The City has a number of penalties/fines it can assess the responsible party. They include:

Penalty Type	Limits	Authority	Assessed By	Comments
Infraction	\$100 for first offense; \$200 for second offense within the same year; \$500 per each additional offense within the same year.	MVCC 24.10.0	City of Mountain View Environmental Safety Division	Usually included in the "Notice of Violation"

Penalty Type	Limits	Authority	Assessed By	Comments
Civil	Not to exceed \$500 per day per violation (Hazardous Materials Ord.) ----- Not to exceed \$25,000 per day per violation (Wastewater Discharge Ord.)	MVCC 24.10.0  ----- MVCC 35.32.15.2	City of Mountain View City Attorney or Santa Clara County District Attorney	May be initiated at any point in the enforcement process
Administrative Complaint*	\$2,000/day for failing or refusing to furnish technical/monitoring reports; \$3,000/day for failing or refusing to timely comply with compliance schedules; \$5,000 per day per violation for discharges in violation of any waste discharge limitation, permit condition or requirement; \$10 per gallon for discharges in violation of any prohibition issued by City	MVCC 35.32.15.4	City of Mountain View Environmental Safety Division	Usually included in a "Notice of Violation"; Responsible Party may request hearing prior to payment.
Criminal	As established by H&S Code	NA	Santa Clara County District Attorney	May be initiated at any point in the enforcement process

\*It should be noted that issuance of an administrative penalty (as part of an administrative complaint) requires a hearing on the complaint within 60 days, unless the responsible party waives his/her right hearing. The Fire Chief acts as the hearing officer during this process. The responsible party has full recourse to appeal the hearing officer's decision to the City Council.

In determining the type and amount of the penalty/fine, the inspector considers all relevant circumstances including the following:

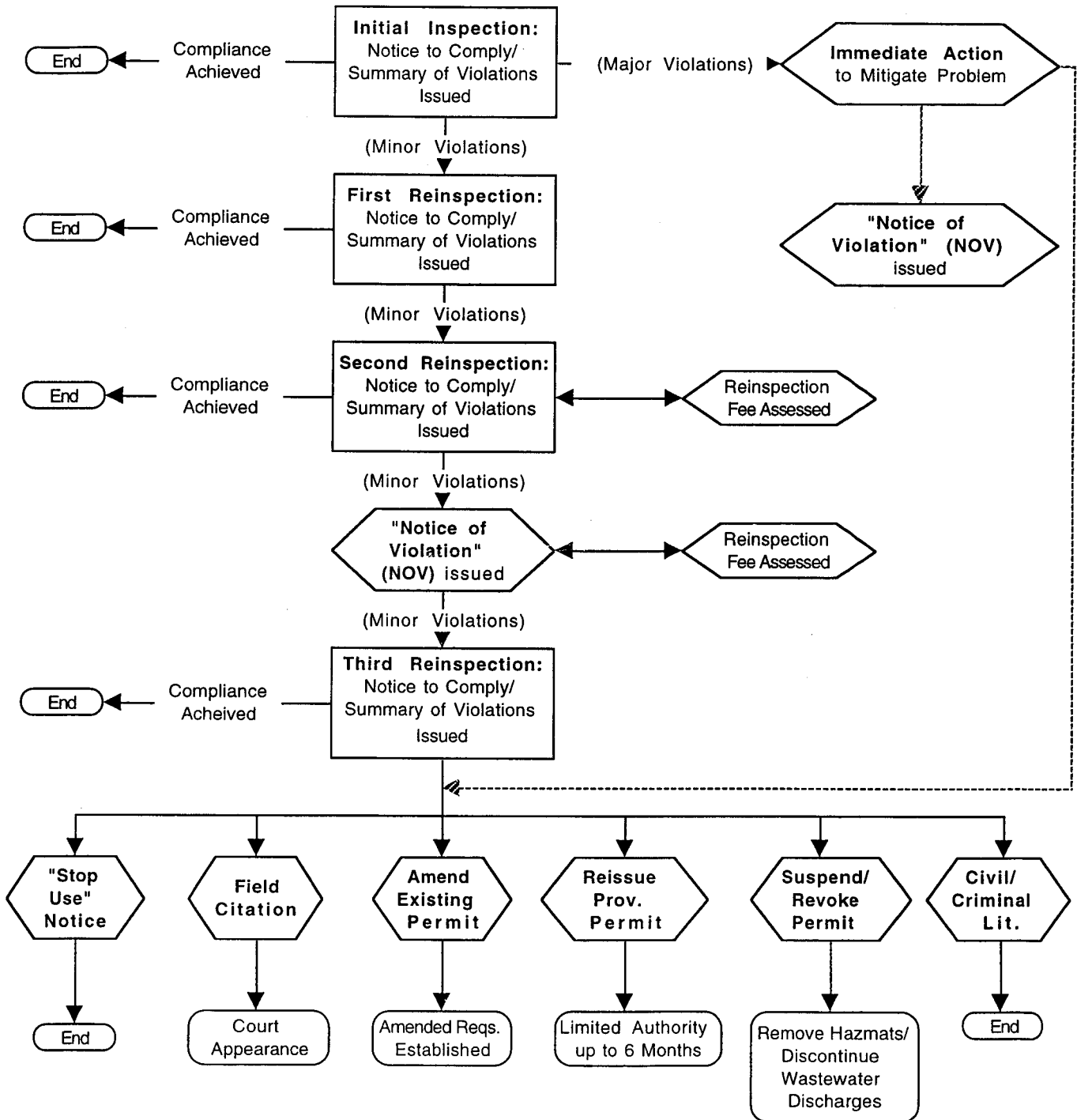
- Extent of harm or potential harm caused by the violation;
- The nature and persistence of the violation;
- The length of time over which the violation has occurred;
- The frequency of past violations;
- The responsible party's record of maintenance;
- Corrective action, if any, taken by the responsible party;
- The extent of negligence or willful misconduct of the responsible party;
- The ability of the responsible party to pay the penalty/fine.

The following matrix is used as a general guideline in establishing penalty/fine assessments:

Violation Examples	Infraction Penalty	Civil Penalty	Admin. Penalty	Criminal Penalty
Failure to update Environmental Compliance Plan (ECP)	X			
Failure to obtain applicable permits (example: discharging process wastewater to the sanitary sewer without a permit)		X		X
Major violations (example: illegal disposal of hazardous materials/waste, illegal discharge to storm drain, etc.)			X	X
Minor violations, including administrative violations (example: failure to provide alarm on a pH probe, failure to provide emergency response training documentation, etc.)	X	X	X	

## City of Mountain View Environmental Safety Division Enforcement Escalation Process (11/96)

(Note: Penalties associated with infractions, administrative complaints, civil, or criminal litigation, may be assessed at any point in the enforcement escalation process.)



**CITY OF MOUNTAIN VIEW  
COMMUNITY SERVICES DEPARTMENT  
STANDARD OPERATING PROCEDURE (SOP)**

**SOP NO.:** 4-PS/4-CS

**DIVISION:** All PSD Divisions  
All CSD Divisions

**PROCEDURE TITLE:** Hazardous and Nonhazardous Material Spills

**INTRODUCTION**

This is a guide to ensure required notifications and agency responsibilities associated with material spills or releases are properly followed.

**SAFETY PRECAUTIONS**

Field maintenance crews may come across abandoned hazardous materials. If containers are leaking, do not transport them back to MOC. The Fire Department is responsible for handling hazardous materials until they can be determined that they are not hazardous.

Procedure for Abandoned Hazardous Materials

1. If the container has a liquid or solid inside which is leaking, or whose location may pose a hazard to the public, **DO NOT TOUCH THE MATERIAL OR TRY TO MOVE THE CONTAINER(S). IF SMOKE OR OTHER VAPORS ARE COMING FROM THE MATERIAL, STAY UPWIND AT ALL TIMES.**
2. Call the Police/Fire Emergency Communications Center at 9-1-1 and report that abandoned hazardous materials have been found and may contain hazardous materials.
3. Remain at the site until the Fire Department arrives. It is the field crew's responsibility to keep people away and upwind from the material.



4. The Fire Department's Hazardous Materials Action (HEAT) Team will respond to:
  - a. Identify the unknown material;
  - b. Attempt to locate the tenant, property owner, etc. who will be responsible for properly disposing of the material;
  - c. If no one can be found to take responsibility for the material, the Fire Department may contact a hazardous waste cleanup contractor to properly dispose of the material. Field crews are not to handle hazardous materials unless they have been certified with 40-hour HAZWOPER training and a member of the emergency response team.

## **OPERATING PROCEDURE**

### **SITUATION TYPE 1 (i.e., Spills Contained on Private Property – On-Site)**

#### **I. Notifications and Assessment**

1. Employees who recognize spill situations shall contact MV-3, their supervisor and the Safety and Training Manager.
2. Mountain View Communications (9-911) may contact the following:
  - a. Hazmat Unit
  - b. Environmental Safety Division
  - c. Wastewater Section – (650) 903-6329
  - d. State of California Office of Emergency Services (if hazardous) – (510) 646-5908

#### **II. Decisions (i.e., Containment, Cleanup, Causes)**

1. Hazardous Material
  - a. Fire Department (Incident Commander will provide cleanup directions and request assistance, such as traffic control, within the scope of HAZWOPER training only through the immediate supervisor or Safety and Training Manager.)
  - b. Environmental Safety Division

- c. Wastewater Section (collect materials only after authorization from supervisor or Safety and Training Manager.)
  2. Nonhazardous Material
    - a. Environmental Safety Division
    - b. Wastewater Section
    - c. Spill Generator

### **III. Implementation of Containment and Cleanup**

#### Containment

1. Spill Generator
2. Wastewater Section (Implement or direct the spill generator to provide adequate containment preventing entry into sanitary sewer and storm drainage systems.)

#### Cleanup

1. Spill Generator
2. Outside Contractor through Fire Department

#### Billed for Cleanup Costs

1. Spill Generator

### **IV. Regulatory**

Check if appropriate permits have been issued. If permit is required, but not obtained, notify property owner.

1. Fire Department Hazmat Unit
2. Environmental Safety Division

**SITUATION TYPE 2**  
**(i.e., Spills Entering and/or Contained with the City Storm or Sanitary Sewer Systems)**

**I. Notifications and Assessments**

Mountain View Communications (911) contacts the following:

1. Fire Department (911)
  - a. Dispatched Response Unit
  - b. Hazmat Unit
  - c. Environmental Safety Division
- 2.\* Wastewater Section – (650) 903-6329
3. Water Pollution Control Plant (PAWPCP) (sanitary sewer system only) – (408) 945-5300
4. State of California Department of Fish and Game (storm system only) – (707) 944-2011
5. State of California Office of Emergency Services (if hazardous) – (510) 646-5908

**II. Decisions (i.e., Containment, Cleanup, Causes)**

1. Hazardous Material
  - a. Fire Department (Incident Commander will provide cleanup directions and request assistance, such as traffic control within the scope of HAZWOPER training only through the immediate supervisor or Safety and Training Manager.) Only 40-hour HAZWOPER trained staff that are members of the emergency response team.
  - b. Environmental Safety Division
  - c. Wastewater Section

2. Nonhazardous Material
  - a. Environmental Safety Division
  - b. Wastewater Section

### **III. Implementation of Containment and Cleanup**

#### Containment

1. Wastewater Section

#### Cleanup

1. Spill Generator
2. Wastewater Section
3. Outside Contractor through Fire Department

#### Billing for Cleanup Costs

1. Spill Generator (if determined)
2. Agency who contracts for outside work will be billed and responsible to recover costs from spill generator.

### **IV. Regulatory**

Check if appropriate permits have been issued. If permit is required, but not obtained, notify property owner.

1. Fire Department Hazmat Unit
2. Environmental Safety Division

### SITUATION 3

(i.e., Spills Entering Public Waterways – Permanente Creek in Mountain View Slough, Stevens Creek, Adobe Creek (borders Palo Alto), Hale Creek (borders Los Altos), Cross Channel, High-Level Ditch behind Amphitheatre, Shoreline Retention Basin, Sailing Lake, Coast-Casey Forebay and Palo Alto Flood Basin)

#### I. Notifications

Mountain View Communications (911) contacts the following:

1. Fire Department (911)
  - a. Dispatched Response Unit
  - b. Hazmat Unit
  - c. Environmental Safety Division
2. Wastewater Section – (650) 903-6329
3. State of California Department of Fish and Game – (707) 944-2011
4. Regional Water Quality Control Board – (650) 464-1255
5. United States Coast Guard – (800) 424-8802
6. State of California Office of Emergency Services (if hazardous) – (510) 646-5908

#### II. Assessment

##### Initial Assessor

1. Fire Department

##### Responsible Assessor

1. State of California Department of Fish and Game
2. Regional Water Quality Control Board
3. United States Coast Guard

### **III. Action Decisions (Hazardous Waste)**

1. Life-Threatening
  - a. Fire Department
2. Temporary Containment
  - a. Fire Department
3. Final Containment and Cleanup
  - a. State of California Department of Fish and Game
  - b. Regional Water Quality Control Board
  - c. United States Coast Guard

### **IV. Action Decisions (Nonhazardous Waste)**

1. Temporary Containment
  - a. Fire Department
2. Final Containment and Cleanup
  - a. State of California Department of Fish and Game
  - b. Regional Water Quality Control Board

### **V. Implementation of Containment and Cleanup**

#### Containment

1. Temporary Containment
  - a. Wastewater Section
2. Final Containment
  - a. Wastewater Section
  - b. Outside Contractor through Fire Department

Cleanup

1. Wastewater Section
2. Outside Contractor

Billing for Cleanup Costs

1. Spill Generator (if determined)
2. Agency who contracts for outside work will be billed and responsible to recover costs from spill generator.

**V. Regulatory**

Check if appropriate permits have been issued. If permit is required, but not obtained, notify property owner.

1. Fire Department Hazmat Unit
2. Environmental Safety Division

**MAINTENANCE (Equipment, Tools)**

Not applicable.

DATE ESTABLISHED: January 25, 1995

REVISION DATE: April 2, 2002

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Assistant Public Works Director

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David A. Muela  
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Manager

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Buzz Glasky  
Streets and Landfill Closure Manager

---

Julie Holt  
Facilities Manager

RK/SOP/710-01-25-95SOP04-PS-04-CS^



**CITY OF MOUNTAIN VIEW  
PUBLIC SERVICES DIVISION  
STANDARD OPERATING PROCEDURE (SOP)**

**SOP NO.:** 1 – PS

**DIVISIONS:** All PSD Sections

**PROCEDURE TITLE:** Hazardous Materials Response

**INTRODUCTION**

The purpose of this document is to establish a procedure in the event of a hazardous material spill or the discovery of an unidentified material or substance in the public right-of-way, which would require Public Services Department personnel dispatched to investigate the incident. Included are all identified hazardous materials and all unidentified or suspicious materials or substances.

**OPERATING PROCEDURE**

There are two types of incidents that could be encountered.

**Type 1:** Unidentified Material or Substance Spill (i.e., oil, paint or chalk appearance.)

1. Call Mountain View Communications (911) or Mountain View 3 (650/903-6329) by radio or telephone to report the incident. Give the exact location and the type of assistance needed. Request Fire Department response. Request your supervisor be contacted.
2. Use extreme caution to secure the area. Protect employees and the general public from exposure to the spill. Secure area with cones, barricades and/or caution tape, 200' to 300' in either direction if possible. If substance is vaporous, stay upwind.
3. Stand by at a safe distance until the Fire Department arrives.
4. Once the Fire Department arrives at the location of the spill, they assume command of the incident. The employee is to report to the Fire Department's Incident Commander and remain at the site to assist with tasks the employee is trained and equipped to perform until released by the Fire Department's Incident Commander.

5. The supervisor or authorized person will write an incident report and forward it to the Public Works Director, Environmental Safety Manager, and file one copy for the Nonpoint Source Program, if appropriate, within 24 hours of the incident.
6. Only when substance is identified and determined nonhazardous by the Incident Commander can cleanup involving Public Services Department personnel begin.

**Type 2:** An Identified Hazardous or Suspicious Material Spill (i.e., substance leaking from a labeled container, a visible cloud or a noticeable odor.) Steps not necessarily in this order.

1. Call Mountain View Communications (911) or Mountain View 3 (650/903-6329) by radio or telephone to report the incident. Give the exact location, describe the existing conditions at the location and the type of assistance needed. Request Fire Department response. Request your supervisor be contacted.
2. Use extreme caution to secure the area. Protect employees and the general public from exposure to the spill.
3. Stand by at a safe distance until assistance arrives.
4. Refer to the Department of Transportation *Emergency Response Guidebook* if the material is identifiable and follow recommendations.
5. Once the Fire Department arrives at the location of the spill, they assume command of the incident. The employee is to report to the Fire Department's Incident Commander and remain at the site to assist with tasks the employee is trained and equipped to perform until released by the Fire Department's Incident Commander.

## **SAFETY PRECAUTIONS**

1. The employee should have personal protective equipment (PPE) readily available for use; i.e., orange vest, safety glasses, gloves and hard helmet.
2. Utilize emergency lights and flashers on vehicle as warning devices.

3. Use traffic cones, barricades or flares to secure the area and to divert traffic.

**REVISION DATE:** July 28, 1999

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Cathy R. Lazarus  
Public Works Director

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Jim Russell  
Assistant Public Works Director

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Steve Janssen  
Safety and Training Manager (Acting)

CRL/RG/SOP  
749-08-04-94SOP01-PS^

# **CITY OF MOUNTAIN VIEW**

## **INDUSTRIAL/COMMERCIAL DISCHARGER CONTROL PROGRAM PERFORMANCE STANDARD**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **IND - Performance Standard Review**

The Purpose of this memo is to document the City of Mountain View's review of its URMP and Performance Standards for Industrial and Commercial inspections. The most recent revision to the IND Performance Standard was conducted in August 2002, when the enhanced reporting requirements were added. No additional revisions have been made to this Performance Standard.

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## Performance Standard and Supporting Documents for the Industrial/Commercial Discharger Control Program

### INTRODUCTION

Performance Standards define control measures or levels of achievement for particular tasks carried out by all Santa Clara Valley Urban Runoff Pollution Prevention Program (Program) co-permittees. Control measures are described in the Program's Storm Water Management Plan, which is the basis for the 1995-2000 NPDES municipal storm water permit period. The development and implementation of Performance Standards is an integral part of the Program during the five-year Permit period.

The components contained herein constitute the INDUSTRIAL/COMMERCIAL DISCHARGER CONTROL PROGRAM PERFORMANCE STANDARD.

The goal of industrial and commercial discharger control measures is to reduce or eliminate adverse water quality impacts from activities conducted at selected industrial and commercial sites. The Industrial/Commercial Discharger Control (IND) Performance Standard defines the level of implementation that the City of Mountain View shall attain to demonstrate their IND activities reduce pollutants to the maximum extent practicable.

The performance standard for IND is based on the current practices that the City of Mountain View is implementing to minimize water quality impacts, and practices that are accepted by the State and Regional Board as being effective in controlling these impacts. The performance standard is also consistent with the goals and objectives of the Storm Water Management Plan and is intended to work in parallel with the State's General Industrial Permit.

## Performance Standard and Supporting Documents for the Industrial/Commercial Discharger Control Program

### DEFINITIONS

- Best Management Practices (BMPs) - cost effective practices which comply with the City's NPDES storm water discharge permit and are accepted by the City of Mountain View and the Santa Clara Valley Urban Runoff program for minimizing discharges of polluted waters to the storm drain thereby protecting water quality in streams, the groundwater basin, and the bay.
- Chapter 35, MVCC - the City of Mountain View's Industrial Sewer Use Ordinance".
- Chapter 24, MVCC - the City of Mountain View's "Hazardous Materials Ordinance".
- Food Service Facilities - commercial or industrial facilities that prepare food for the public or for institutional patrons, and use or generate grease when preparing this food. "Food Service Facilities" do not include any facilities that do not use or generate grease in cooking or preparing food, such as facilities that prepare food for off-site cooking and consumption.
- High-Hazard Facilities - industrial facilities that use/store large quantities of hazardous materials or highly toxic materials and have a hazardous materials storage permit. Examples include semiconductor manufacturing, plating and circuit board shops, large biotechnology facilities, etc.
- Non High-Hazard Facilities - facilities that use/store moderate or small quantities of hazardous materials and have a hazardous materials storage permit. Examples include dry cleaners, photographic facilities, laboratories, etc.
- Non-significant NOI Facilities - facilities that have filed an NOI with the State to request coverage under the state's general industrial storm water discharge permit. The local inspector has determined that these facilities are not significant contributors to storm water pollution. Non-significant NOI facilities would include the following types of facilities:
  - √ Facilities with no outside storage of equipment or materials that could discharge to the storm sewer;
  - √ Facilities with protected outside storage of equipment or materials that eliminates discharges to the storm sewer;
  - √ Facilities with no storm sewers in the vicinity of outdoor storage of equipment or materials
- NPDES - "National Pollution Discharge Elimination System" and refers to the county-wide permit for discharging to the waters of the state. The City of Mountain View is a co-permittee identified in this permit.
- POTW - "Publicly-Owned Treatment Works. This is the facility that treats wastewaters entering the sanitary sewer system and discharges them to the bay.
- Pretreatment Permit Facilities - facilities that have a permit from the local POTW to discharge



process wastewater to the sanitary sewer system.

- Significant NOI Facilities - facilities that have filed an NOI with the State to request coverage under the state's general industrial storm water discharge permit. The local inspector has determined that these facilities are significant or potentially significant contributors to storm water pollution. Significant NOI facilities would include all facilities not described under "Non-Significant NOI Facilities" above.
- Vehicle Service Facilities - publicly and privately owned facilities that repair, fuel, clean, service or dismantle cars, trucks, boats, airplanes or other motor vehicles.
- Zero Discharge Facilities - facilities that do not discharge regulated materials into the sanitary sewer system.

**Performance Standard and Supporting Documents for the  
Industrial Commercial Discharger Control Program**

**PERFORMANCE STANDARD**

**1) Notice of Intent (NOI) Filers**

NOI filers are those facilities that have filed an NOI with the State and appear on a list provided by the State. The following shall be accomplished for all NOI filers and facilities with individual NPDES permits for storm water discharge:

- A complete initial storm water inspection shall be performed within one (1) year of beginning implementation of this Performance Standard.
- A determination shall be made as to whether an inspected facility constitutes a significant potential threat to discharge pollutants to the storm drain collection system. Each NOI filer shall be categorized as a significant facility or a non-significant facility.
- Significant facilities shall be inspected on an annual basis.
- Non-significant shall be inspected at least once every three (3) years.
- At the beginning of each fiscal year the lists of significant and non-significant NOI filers shall be reviewed and revised as needed.
- Any facility that files an NOI after the date that the jurisdictional co-permittee begins implementation of this performance standard shall undergo its initial inspection within one (1) year of filing. The determination of whether the facility is significant or non-significant shall be made immediately following the initial inspection.
- During the initial inspection, it will be verified that the facility has submitted an NOI.

**2) Non-Filer Investigations**

All industrial facilities that conduct activities identified by the following Standard Industrial Classification (SIC) codes will undergo an initial inspection within one (1) year of the jurisdictional co-permittee beginning implementation of this Performance Standard: 5015 (Automobile Dismantlers), 5093 (Other Recycling Industries), the 3200 series (Stone Clay and Concrete Products Industry), and the 4100 & 4200 series (Trucking Facilities that perform on-site vehicle repair, maintenance or washing). The frequency of follow-up inspections, if deemed necessary, will be determined by the co-permittee.

**3) Commercial Facilities**

- Facilities with a Pretreatment permit will be inspected at least every two (2) years.
- Facilities permitted for zero discharge to the sanitary sewer system will be inspected every two (2) years.
- Vehicle service facilities will be inspected at least every two (2) years.
- Food service facilities will be inspected at least every three (3) years.
- Facilities for which a referral or complaint is received will be responded to promptly; a full inspection will be performed at that time or within one (1) year.

**4) General Administration**

- All facilities addressed by this Performance Standard will be inspected to determine the existence of discharges or threatened discharges which are illegal under local ordinances.
- For any SWIDs discovered, a Storm Water Infiltration Device (SWID) notification card will be completed. One copy will be submitted to the Santa Clara Valley Water District's Water Quality Unit and another to the Santa Clara Valley Urban Runoff Pollution Prevention Program.
- Facilities will be inspected to determine compliance with local municipal storm water ordinances. The facility operator will be notified of observed areas of concern; official action on violations will take place under local authority.
- Significant problems which cannot be addressed promptly and fully under local authority shall be referred to the Regional Board or other appropriate agency.
- Inspections will be documented by, and the documentation maintained in the files of, the local agency or its contractor. The standard Santa Clara Urban Runoff Facility Inspection Checklist (see checklist on following page) or a checklist developed by a committee that contains all of the elements in the standard checklist, will be used by all local agencies.
- Best Management Practices (BMP) information will be distributed to those facilities which do not already have them at the time of the inspection. These BMP documents include the Santa Clara Valley Urban Runoff Pollution Prevention Program literature for: Industrial Facilities, Construction, Food Service Facilities and Vehicle Service Facilities, and will be distributed as appropriate depending on the type of facility inspected.

- Internal summaries of the type and number of violations reported, and the type of facilities with reported violations, will be reviewed annually. Recommendations for updates to the standard list of violations on the Inspection Checklist, or possible Program-wide focus for facility type or violation type, will be made as needed.

**5) Record Keeping/Reporting**

Implement enhanced annual reporting requirements outlined in the Industrial Reporting Ad-Hoc Task Group's Technical Memorandum, dated September 7, 2001. The enhanced annual reporting requirements include:

- ξ Using standardized reporting categories identified in the technical memorandum for facility types and enforcement actions.
- ξ Sending IND inspection information electronically to Program staff for analysis, production of summary tables in the Annual Report, and inclusion in the Program-wide database.

**6) Review and Evaluate Effectiveness**

The City will review IND inspection data and conduct an annual effectiveness evaluation to determine what modifications in the program are needed to ensure continuous improvement.

**Performance Standard and Supporting Documents for the  
Industrial/Commercial Discharger Control Program**

**PERFORMANCE STANDARD**

**1) Notice of Intent (NOI) Filers**

NOI filers are those facilities which have filed an NOI with the State and appear on a list provided by the State. The following shall be accomplished for all NOI filers and facilities with individual NPDES permits for storm water discharge:

- A complete initial storm water inspection shall be performed by March 1, 1997.
- A determination shall be made as to whether an inspected facility constitutes a significant potential threat to discharge pollutants to the storm drain collection system. Each NOI filer shall be categorized as a significant facility or a non-significant facility.
- Significant facilities shall be inspected on an annual basis.
- Non-significant facilities shall be inspected at least once every three (3) years.
- At the beginning of each fiscal year, the lists of significant and non-significant NOI filers shall be reviewed and revised as needed.
- Any facility that files an NOI after March 1, 1997, shall undergo its initial inspection within one (1) month of filing and notification of the City. The determination of whether the facility is significant or non-significant shall be made immediately following the initial inspection.
- During the initial inspection, it will be verified that the facility has submitted an NOI.

**2) Non-Filer Investigations**

- All industrial facilities that conduct activities identified by the following Standard Industrial Classification (SIC) codes will undergo an initial inspection by March 1, 1997: 5015 (Automobile Dismantlers), 5093 (Other Recycling Industries), the 3200 series (Stone Clay and Concrete Products Industry), and the 4100 & 4200 series (Trucking Facilities that perform on-site vehicle repair, maintenance or washing). The frequency of follow-up inspections, if deemed necessary, will be determined by the City of Mountain View.
- All other facilities not specifically addressed by this Performance Standard shall be characterized and included in the inspection schedule should their actual or potential to contribution to pollution runoff warrant it.

### 3) Commercial Facilities

- Facilities with a Pretreatment permit will be inspected at least every two (2) years.
- Facilities with a Pretreatment permit for zero discharge to the sanitary sewer system will be inspected every two (2) years.
- Vehicle service facilities will be inspected at least every two (2) years.
- Food service facilities will be inspected at least every three (3) years.

### 4) General Administration

- The City will establish and maintain a current inventory list of all facilities addressed by this Performance Standard.
- All facilities addressed by this Performance Standard will be inspected to determine the existence of discharges or threatened discharges which are illegal under the City of Mountain View's sewer use ordinance (Chapter 35, MVCC).
- Facilities for which a referral or complaint is received will be responded to promptly; a full inspection will be performed as soon as reasonable under the circumstances.
- Significant problems which cannot be addressed promptly and fully under local authority shall be referred to the Regional Board or other appropriate agency.
- Inspections will be documented by, and the documentation maintained in the files of, the City of Mountain View. A checklist that contains all of the elements in the standard Santa Clara Urban Runoff Facility Inspection Checklist will be used.
- The City will ensure that all inspectors are adequately trained. Refresher training shall be conducted at least annually.
- Best Management Practice (BMP) information will be distributed to those facilities which do not already have them at the time of the inspection. These BMP documents include the Santa Clara Valley Urban Runoff Program literature for: Industrial Facilities, Construction, Food Service Facilities and Vehicle Service Facilities, and will be distributed as appropriate depending on the type of facility inspected.

In cases where structural or engineering controls are required, the inspector will provide this information and explain appropriate city permitting procedures to assist the facility in its compliance effort.

As part of its "Public Education and Outreach Activities" master plan, the City of Mountain View will distribute source minimization and pollution prevention materials to industrial and commercial facilities throughout the year.

- The City will conduct an annual effectiveness evaluation to determine what modifications in the program are warranted to ensure continuous improvement.

- The City will include a summary of industrial/commercial inspections and enforcement actions taken during the past year as part of its Annual Report.



**Performance Standard and Supporting Documents for the  
Industrial/Commercial Discharger Control Program**

**WORK PLAN IMPLEMENTATION**

The City of Mountain View currently implements the Industrial/Commercial Discharger Control Program performance standard. The City will summarize its compliance efforts during the year in its Annual Report. The format of the Annual Report reporting form is in the "City of Mountain View Annual Reporting Form" section of this document. Additional supporting documentation will be maintained at City offices and made available for public review.

For a summary of the procedures the City uses to implement these performance standards, see the "Standard Operating Procedures" section of this document.

**Performance Standard and Supporting Documents for the  
Industrial/Commercial Discharger Control Program**

**LEGAL AUTHORITY TO IMPLEMENT**

The City of Mountain View has adequate legal authority to implement the Industrial/Commercial Discharger Control Program performance standard. The list below summarizes the various legal instruments used by the City to do so. Also, refer to the section describing best management practices and other control measures used by the City to implement the standard.

Summary of Legal Authority:

<b>LEGAL AUTHORITY</b>	<b>DESCRIPTION</b>
NPDES Permit No. CAS029718 (Order 95-180)	Stormwater permit for Santa Clara County and 13 co-permittees.
Memorandum of Agreement	Memorandum between the Santa Clara Valley Urban Runoff Pollution Prevention Program co-permittees, pursuant to the RWQCB NPDES Permit No. CAS029718.
City of Mountain View General Plan	Policy 16 requires establishment of pollution control measures to keep pollutants from entering Mountain View's storm drain system to protect the city's surface water resources. Policy 17 requires soil stabilization measures that prevent soil erosion and sedimentation. Policy 18 requires proper use, storage and disposal of toxic chemicals to prevent soil contamination.
Chapter 24, MVCC, Section 24.3.0(c)	Requires containers to be compatible with the materials they store to prevent leaks and spills.
Chapter 24, MVCC, Section 24.3.0(e)	Requires dispensing and mixing of hazardous materials to be done in a manner which does not increase risk of unauthorized discharge.

LEGAL AUTHORITY	DESCRIPTION
Chapter 24, MVCC, Section 24.3.0(f)	Requires an approved drainage system to prevent accumulation of liquid within secondary containment. The drainage system must conform to sanitary and storm drain discharge requirements.
Chapter 24, MVCC, Section 24.3.0(k)	Requires process tanks and equipment which involve temperature control of hazardous liquids to be provided with a high-temperature and low liquid-level shutoff to maintain product temperature and product level with a safe range.
Chapter 24, MVCC, Section 24.3.0(m)	Requires leak detection monitoring for all hazardous materials storage facilities.
Chapter 24, MVCC, Section 24.3.0(n)	Requires overfill protection and overspill protection when filling tanks or containers.
Chapter 24, MVCC, Section 24.3.0(o)	Requires tanks and associated piping subject to vehicular traffic and containing hazardous materials to be protected by guard posts.
Chapter 24, MVCC, Section 24.3.0(p)	Requires safety storage cabinets for storage of hazardous materials.
Chapter 24, MVCC, Section 24.3.0(q)	Requires secondary containment for all new storage facilities.
Chapter 24, MVCC, Section 24.3.0(r)	Requires separation of incompatible hazardous materials.
Chapter 24, MVCC, Section 24.3.0(s)	Requires shelves used for hazardous materials storage to be provided with a lip or guard to prevent individual containers from falling off. Requires shelving units to be seismically braced.
Chapter 24, MVCC, Section 24.3.0(u)	Requires hazardous materials which require temperatures other than ambient to be stored in approved areas or containers which will maintain the needed temperature. Redundant temperature control is also required.
Chapter 24, MVCC, Section 24.3.0(v)	Requires transport of hazardous materials exceeding 5 gallons in an exit corridor to be conducted in an approved cart or truck.
Chapter 24, MVCC, Section 24.3.3	Requires hazardous materials storage facilities to be secured from public access.

LEGAL AUTHORITY	DESCRIPTION
Chapter 24, MVCC, Section 24.3.4	Requires adequate spill prevention and clean-up materials be maintained on site for leaks and spills.
Chapter 24, MVCC, Section 24.6.0	Allows City to conduct inspections for ascertaining compliance with Chapter 24.
Chapter 24, MVCC, Section 24.6.0(a)	Allows City to enter any structure or premises when an enforcement officer has reason to believe a violation has occurred.
Chapter 24, MVCC, Section 24.7.2	Requires a facility using/storing hazardous materials to provide a closure plan describing their procedures for terminating hazardous materials storage. This includes providing proof of proper removal via hazardous waste manifests, bills of lading, etc. The City may require soil/groundwater samples for suspect areas. All tanks and sumps must also be removed via permit.
Chapter 35, MVCC, Section 35.31.3	Prohibits discharge of sanitary sewage, industrial wastes or polluted waters to curbside gutter, storm sewer, storm drain or other natural outlet. Defines unlawful discharges to storm drain. Outlaws discharges of any pollutants or waters containing pollutants that violate the City's stormwater discharge permit or applicable water quality standards.
Chapter 35 MVCC, Section 35.31.1	Authorizes the City to enter a facility for violations constituting an immediate or substantial danger to public health, safety and welfare.
Chapter 35 MVCC, Section 35.32.10.1	Authorizes City to require "adequate protection" to prevent discharge of polluted water, hazardous materials, industrial wastes, or other wastes. Such protection includes "facilities" or "engineering controls".
Chapter 35 MVCC, Section 35.32.10.1(B)	Requires immediate clean-up of spills or leaks.
Chapter 35 MVCC, Section 35.32.10.1(C)	Requires dischargers to maintain adequate supplies of spill prevention and clean-up equipment on site.
Chapter 35 MVCC, Section 35.32.10.1(D)	Prohibits interior floor drains to be connected to the storm sewer system.

LEGAL AUTHORITY	DESCRIPTION
Chapter 35 MVCC, Section 35.32.10.1(E)	Prohibits open containers containing hazardous materials or wastes from being left unattended unless in use or secondarily contained.
Chapter 35 MVCC, Section 35.32.10.1(G)	Requires floor cleaning to be conducted using "3-step method" and disposing in sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(I)	Requires all grease-generating facilities to have grease interceptors or traps. Requires new food service facilities to be equipped with a designated area for cleaning floor mats, containers and equipment. Requires new food service facilities to be equipped with covered and bermed area for their dumpsters.
Chapter 35 MVCC, Section 35.32.10.1(J)	Requires dischargers to label their storm drains in accordance with City's specifications.
Chapter 35 MVCC, Section 35.32.10.1(K)	Requires roof-mounted equipment or tanks containing liquids other than potable water to be secondarily contained or discharge to the sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(L)	Prohibits sacrificial zinc anodes which contact the water supply in water distribution systems. Prohibits devices using electricity to dissolve copper or silver into water distribution systems, cooling systems pools, spas or fountains.
Chapter 35 MVCC, Section 35.32.10.1(O)	Requires new vehicle or equipment fueling facilities to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the fueling area and extending the cover 10' beyond the fuel pumps, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in fueling area.

LEGAL AUTHORITY	DESCRIPTION
Chapter 35 MVCC, Section 35.32.10.1(P)	Requires new outdoor vehicle or equipment maintenance facilities to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the area, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in maintenance area.
Chapter 35 MVCC, Section 35.32.10.1(Q)	Requires new loading docks used for shipping or receiving hazardous materials to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the loading dock, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in loading dock area.
Chapter 35 MVCC, Section 35.32.10.1(R)	Requires new outdoor areas used for stockpile storage to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the area, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in outdoor storage areas.
Chapter 35 MVCC, Section 35.32.10.1(S)	Requires new high-erosion areas to be designed to prevent run-on of storm water and run-off of spills by: 1) covering the area and grading it or installing a berm/curb around the perimeter of the area or 2) Retrofitting the area with a treatment system to intercept sediment runoff.
Chapter 35 MVCC, Section 35.32.10.1(V)	Requires new parking garage floor drains on interior levels to be connected to an approved wastewater treatment system and discharge to the sanitary sewer.

**Performance Standard and Supporting Documents for the  
Industrial/Commercial Discharger Control Program**

**BEST MANAGEMENT PRACTICES AND CONTROL MEASURES**

The purpose of best management practices for the City's commercial and industrial discharger control program is to eliminate or reduce adverse water quality impacts from activities commonly conducted at commercial and industrial sites. This section contains a list of best management practices used by the City of Mountain View in conducting commercial and industrial facility inspections.

**I. General Facility Information**

A. Notice of Intent (NOI)

- 1) Determine whether an NOI for coverage under the State's General Permit has been submitted (if required).
- 2) If an NOI is required, make visual verification of NOI.
- 3) If NOI has not been filed, but is required, advise facility to contact the Regional Water Quality Control Board.

B. Storm Water Pollution Prevention Plan and Storm Water Monitoring Plan

- 1) If NOI has been filed, a visual verification of a Storm Water Pollution Prevention Plan (SWPPP) and a Storm Water Monitoring Plan (SWMP) will be conducted.
- 2) If SWPPP and SWMP are required, but not on site, advise facility to contact the Regional Water Quality Control Board regarding NPDES requirements.

C. Best Management Practices (BMPs) and structural/engineering control information

- 1) Distribute appropriate BMP brochures to all inspected industrial and commercial facilities.
- 2) Distribute specifications for structural and engineering controls to facilities when applicable.

**II. Indoor Activities**

A. Floor Cleaning

- 1) Verify that all floor cleaning water, wax and unused stripper is disposed of in a sink or toilet and not in the parking lot, street or other conveyance to the storm drain system. Advise facility staff on proper disposal of unused products.
- 2) Make visual inspection of all drains and sinks. Look for signs of improper disposal of hazardous waste liquids or process wastewaters. Hazardous wastes shall not be discharged to the sanitary sewer and process wastewaters shall only be discharged to the sanitary sewer via wastewater pretreatment permit.
- 3) Verify waste liquids from automated floor cleaning equipment holding tanks are discharged to the sanitary sewer and not in the parking lot, street or other conveyance to the storm drain system.

B. Indoor Equipment Cleaning

- 1) Wastewater from cleaning equipment should be discharged to the sanitary sewer, recycled, or hauled off-site as hazardous waste. Verify cleaning equipment wastewater is not discharged to the parking lot, street or other conveyance to the storm drain system.

**C. Indoor Manufacturing, Residues and Spills**

- 1) Ensure proper cleaning and disposal methods are performed for interior spills and leaks. Spill and leaks should not be flushed or steam-cleaned out into the parking lot, street or other conveyance to the storm drain system.
- 2) Verify appropriate absorbent materials are kept readily accessible and designated employees are trained on proper spill response techniques.
- 3) Ensure proper control of process residues and dust near exterior doorways. Require chemical storage and machinery be relocated to keep materials from discharging or escaping from primary or secondary containment into the parking lot, street, or other conveyance to the storm drain system.
- 4) Verify proper connection of interior floor drains (e.g., review plumbing schematics, conduct a dye test). All interior floor drains and sumps should be plumbed to the sanitary sewer or closed loop treatment system. All interior floor drains discharging to the storm sewer system shall be closed.

**III. Outdoor Activities**

**AA. Vehicle and Equipment Fuel Dispensing Areas**

- 1) Determine whether any fuel dispensing equipment is exposed to storm water and/or whether fueling or the transfer of any chemical from one vessel or another is conducted near a storm drain. If so:
  - a) Verify that dewatering procedures for the secondary containment areas which surround fuel tank farms or other fuel storage equipment does not discharge to the storm drain.
  - b) Ensure a method is in effect to protect all adjacent storm drains in the event of a spill.
  - c) Ensure absorbent material and booms are readily accessible.

**BB. Vehicle and Equipment Washing**

- 1) Verify floor mat and equipment screen/filter cleaning is not conducted in a location that may adversely impact a storm drain.
- 2) All vehicle and equipment rinse water should be discharged into a treatment system which drains to the sanitary sewer or to a landscaped area where the water can soak in.
- 3) Recommend wash water be recycled in a closed loop system.

**CC. Vehicle and Equipment Maintenance or Repair Area**

- 1) If vehicles are maintained on site, ensure there are no associated impacts to any storm drains.
- 2) If leaks or drips occur under vehicles, drip pans or absorbent pads should be placed under the vehicles.
- 3) If applicable, inspect all outdoor drains and suspicious indoor drains in the vehicle maintenance area. Conduct dye tests to verify proper connections.
- 4) If specialized equipment (forklifts, fifth wheels, etc.) is maintained on site, ensure



wash water used to clean equipment is discharged to a treatment system which drains to the sanitary sewer or to a landscaped area where the water can soak in.

**DD.Raw Material Storage**

- 1) Determine whether raw materials and their by-products are exposed to rain water. Ensure loose materials are stored under cover, in a bermed and protected area, or other runoff treatment system is provided to filter and intercept the material.
- 2) If raw materials and their by-products are transferred from one place to another in or adjacent to any storm drain, or in such a manner to impact the storm drain, recommend placing protective covers or similar devices over storm drains and improving housekeeping in these areas.

**EE.Hazardous Materials/Waste Handling and Storage Area**

- 1) Determine whether the facility stores or disposes of hazardous materials, hazardous wastes, or any other substances on site.
- 2) Verify that rain water is kept out of any secondarily contained areas via permanent or temporary covers.
- 3) Determine whether the transfer of hazardous materials, waste or non-hazardous substances may potentially impact the storm drain.
  - a) Recommend good housekeeping measures to minimize the potential for spills.
  - b) Recommend the facility protect storm drains by relocating the substances away from them, preferably under protected overhangs or inside the facility.
  - c) Recommend the facility berm or cover substance(s) or install an approved protective device at storm drain inlets.
- 4) If there are any storm drains adjacent to any storage areas, request that the facility affect a method to monitor and protect storm drain inlets from accidental discharges.

**FF.General Construction Activities**

- 1) Facilities are responsible to advise and require contractors to protect storm drains.
- 2) Advise facility that if 5 acres or more are disturbed, a general construction permit (NPDES) is required.
- 3) If construction activities are current, determine if there is a potential for soil to erode into the storm drain by rain or irrigation run-off. If so:
  - a) Recommend installing filter fabrics in combination with swales or berms to protect storm drain inlets.
  - b) Recommend erosion control techniques.
- 4) Verify construction workers are not washing tools and/or equipment adjacent to any storm drains.
  - a) Recommend that the facility incorporate storm control verbage into all contracts.
  - b) Recommend that the facility provide an employee training program.
- 5) Verify construction materials are not being disposed in the storm drain directly or indirectly.
- 6) Provide the facility or contractor with the city's "It's In The Contract" pamphlet which describes the required best management practices at construction sites.

**GG.Pressure Cleaning or Power Washing**

- 1) Recommend dry methods of clean-up (absorbent, broom, dry-mopping).
- 2) If power washing must be used, the facility should refer to the proper procedures in the Bay Area Storm Water Management Agencies Association's "Pollution From Surface Cleaning."

#### HH. Equipment or Vehicle Storage Area

- 1) Inspect all scrap yards, vehicle storage lots or areas where retired/surplus equipment is stored. Determine where storm drains are in relation to these areas.
  - a) The facility should cover oily and soiled equipment with a leak proof cover.
  - b) The facility should drain all automotive related fluids prior to storage, and dispose of properly.
  - c) Drip pans or absorbent pads should be placed under leaky equipment.

#### II. General Housekeeping

- 1) Determine the general overall condition of the facility. Is housekeeping conducted on a consistent basis? Are there accumulations of debris, refuse or litter? Make necessary recommendations to improve overall housekeeping.
- 2) Recommend a training program addressing good housekeeping practices.

#### JJ. Irrigation and Landscape

- 1) Determine if landscape contractors are properly disposing of lawn clippings and other vegetative wastes.
- 2) Inspect storm drains for vegetative wastes.
- 3) Ensure temporary protection of all impacted storm drain inlets while conducting landscape activities.
- 4) Inspect paving around landscaping to see if sprinklers are over watering and causing undue erosion and runoff of associated chemicals. If, so have facility representative adjust irrigation timers or sprinkler heads.
- 5) Determine whether pesticides, herbicides or fertilizers are applied to the landscaping; identify how much and how often. Refer all pesticide/herbicide application problems to the Santa Clara County Agriculture Department.
- 6) Verify landscape equipment is washed properly and away from paved areas or storm drain. The facility should discharge wash water to a treatment system which drains to the sanitary sewer or to a landscaped area where it can soak in.

### IV. Equipment

#### AAA. Air Compressors

- 1) Inspect air compressor units which are exposed to storm water for residual grease on the tank or motor surface.
- 2) Air compressors should be located in a covered area.
- 3) Request air compressor leaks be repaired.
- 4) Inspect area beneath air compressor bleed line and determine if any oily substance is being released which could impact the storm drain. If so, place a catch pan below the bleed off valve and dispose of water from pan on a regular basis.

#### BBB. Air Scrubbers

- 1) Determine whether particulates from air scrubbers are deposited on any surface in a manner that may impact the storm drain.
- 2) Advise the facility representative to repair air scrubbers and remove any debris. If feasible, a protective catch pan should be placed around the scrubber.
- 3) Refer any fall out violations to the Bay Area Air Quality Management District.
- 4) Inspect the discharge point of any wet scrubber. Wet scrubbers must discharge to the

sanitary sewer.

CCC. Boilers, Chillers, HVAC and Refrigerators

- 1) Determine whether air conditioning units (generally found on roof) and chillers have a condensate line which is plumbed to a roof storm drain.
  - a) For existing buildings, non-contaminated discharge can go to the storm drain.
  - b) For new development or building remodels, the discharge may go to the sanitary sewer.
- 2) Determine whether air conditioning and chiller units are treated with descaling or anti-algae agent. Facility representatives are responsible to direct the HVAC contractor to properly dispose of all flushing agent residues and by-pass condensate lines while flushing the unit.
- 3) Determine whether HVAC condenser tubes are annually flushed with any type of chemical by a servicing contractor and how waste water is disposed of. The runoff from the tube cleaning must be captured and properly disposed of.
- 4) Determine whether any of the units are power washed. If so, refer to proper procedures in the Bay Area Storm Water Management Agencies Association's "Pollution From Surface Cleaning".
- 5) Determine whether defrost water or condensate is discharged. The facility representative is responsible to ensure defrost water does not come into contact with any pollutants directly or indirectly.
- 6) Determine how waste compressor oil from chillers is disposed of and ensure it is not disposed of in the parking lot, street, or other conveyance to the storm drain system.

DDD. Basement Sump Pumps

- 1) If the facility has a basement parking lot, verify rain water drains to a storm drain.
- 2) Inspect the bottom of the storm drain sump drain and determine the method of cleaning.
- 3) Advise the facility representative that only rain water can be pumped into the storm drain. Any debris surrounding or inside the sump should be removed. A screen mesh or filter fabric may be installed on the sump grate to assist in protecting sump from particulate debris (if it will not cause a flood hazard). The facility should consult the appropriate agency regarding proper disposal of sump debris.
- 4) Determine whether automotive fluid spills and/or drips are cleaned with appropriate absorbent.
- 5) Advise the facility representative that all floor cleaning contractors must protect the storm drain system from accidental discharge.

EEE. Boilers

- 1) Determine whether the blow line or tank drain line is located adjacent to any storm drain inlet or channel, directly or indirectly. All treated boiler discharge must be discharged to the sanitary sewer or recycled/reused in an approved closed loop system.
- 2) Determine whether the boiler is treated with scaler or algicide and if any leakage is present. Discharge from boiler chemical additives may meet hazardous waste criteria. If so, this materials shall be hauled off site as hazardous waste.
- 3) Determine whether the boiler vents to the roof. If so, determine whether vapor will recondense on the roof and make contact with storm water runoff. Advise facility representative to repair condensate pipe and redirect flow to sanitary sewer.

FFF. Facility Catch Basins

- 1) Inspect all catch basins and drop inlets for debris or other foreign material and have the facility clean or remove debris regularly.
- 2) Identify all storm drains with stencil: "No Dumping- Flows to Bay".

#### GGG. Refuse Dumpster and Compactor

- 1) Advise the facility to keep dumpster lids closed when not in use and/or exchange bins without lids.
- 2) The facility should relocate dumpsters and bins away from storm drains.
- 3) Contaminated rain water that has accumulated from an open container must be discharged to the sanitary sewer.
- 4) Verify dumpsters are not leaking. If they are, the facility should install plugs or exchange for leak-proof dumpsters.
- 5) Verify compactor leachate or associated hydraulic fluid does not leak into or adjacent to any storm drain or onto the pavement. If so, the facility should protect the storm drain, repair the compactor, absorb leaked material, and discharge absorbent in compactor. Liquid should be discharged to the sanitary sewer.

#### HHH. Cooling Tower

- 1) All cooling tower discharges must be directed to the sanitary sewer.
- 2) Cooling tower chemicals should not be stored adjacent to any storm drain.
- 3) Ensure proper disposal of washing detergents and/or muriatic acid (common cooling tower cleaners).

#### III. Emergency Showers

- 1) Verify emergency showers do not discharge to the storm drain sewer.

#### JJJ. Filter Back flush

- 1) Back flushed or back washed equipment filters, including filters for pools and fountains, should discharge to the sanitary sewer. The facility should collect and dispose of solids into a refuse container.
- 2) Commercial and institutional swimming pool facilities should refer to the Santa Clara County Health Department, Consumer Protection Division for filter medium disposal issues.

#### KKK. Grease Interceptor, Tallow Containers

- 1) Inspect the area around outdoor grease interceptor covers and verify rain water cannot carry residual grease to the storm drain.
- 2) Advise facility representative to clean debris on a regular basis and clean the interceptor area after it is pumped by a septic hauler. Residual grease must be collected or washed back into the interceptor.
- 3) Tallow bins must be stored in areas where they do not come into contact with storm water. Recommend a covered area for tallow bin storage.
- 4) Ensure a mechanism is in effect to protect storm drains if an interceptor overflows.
- 5) Replace or exchange bins, if leaking.

#### LLL. Ground Water Treatment Discharge

- 1) If ground water is discharged to the storm drain, verify an NPDES permit has been issued by the Regional Water Quality Control Board for the discharge. If ground water is discharged to the sanitary sewer, verify that a pretreatment permit has been issued by the local POTW.

MMM.Ground Water Dewatering Devices

- 1) Determine if any groundwater is discharged from the site, and verify which sewer it connects to.
- 2) Uncontaminated groundwater infiltration need not be prohibited unless the discharge is identified by a public agency or the Regional Water Quality Control Board as a source of pollutants to receiving waters.
- 3) If applicable, review spill control plan.
- 4) Determine whether pumped water comes into contact with any pollutants before water is discharged. Consult with the Regional Water Quality Control Board if any questions.

NNN.Loading Docks

- 1) Inspect all loading dock drains for potential pollutants, including truck fluid leaks.
- 2) Debris should be removed catch basins cleaned on a regular basis.
- 3) Catch basin inlets should be protected from accidental spillage by placing absorbent booms or covers over drains or installing valved inlet inserts (if safe and feasible).
- 4) Dock wash water should be diverted to the sanitary sewer or a dry method of clean-up should be used.

OOO.Parking Lots

- 1) Inspect facility parking lots for excessive vehicle fluid leaks or spills. The facility should clean-up spills by (1) sweeping up particles and debris, (2) absorbing spills with rags or absorbent, (3) mopping area.

PPP.Ponds, Fountains and Pools

- 1) Overflow drains from ponds and decorative fountains must be discharged to the sanitary sewer or re-used for irrigation. This includes all pool filter backwash and associated debris.
- 2) The facility should consult with the local POTW if ponds or fountains are treated with copper-based algicides (shock), growth inhibitors or other agents prior to discharge to the sanitary sewer.
- 3) Ensure pond or fountain filters are not back flushed into a storm drain.

QQQ.Roof Vents and Equipment

- 1) Excessively greasy roof vents should be cleaned on a regular basis, especially during the wet season.
- 2) If feasible, catchment pans or trays should be installed at the base of the vents.
- 3) Duct work should be properly sealed and maintained.
- 4) If feasible, protective devices should be installed around storm drains.
- 5) Inspect roof for residual machinery process residues on roof (paper dust, saw dust, steam condensate, paint, etc.). The facility should consult with the local Bay Area Air Quality Management District for control measures.

RRR.Reverse Osmosis and Deionization Units.

- 1) Ensure reject water from reverse osmosis (R.O.) units, does not discharge to the storm drain. Reject water from R.O. unit should be diverted to the sanitary sewer. The facility should consult the local POTW for requirements.
- 2) Back flush water from deionization units should be discharged to the sanitary sewer. The facility should consult the local POTW for requirements.

## References

California Storm Water BMP Industrial Handbook

Mobile Cleaner BMP, CETA

Machine Shop BMP, City of San Jose

Guidelines for Vehicle Service Facilities, Santa Clara Valley Nonpoint Source Program

Restaurant BMPs, Santa Clara Valley Nonpoint Source Program

Vehicle Service BMP, City of Sunnyvale

California Storm Water BMP Construction Handbook

BMPs for Industrial Storm Water Pollution Control, Santa Clara Valley Nonpoint Source Program

Pollution from Surface Cleaning BMPs, Bay Area Storm Water Management Agency Association

## Performance Standard and Supporting Documents for the Industrial/Commercial Discharger Control Program

### STANDARD OPERATING PROCEDURES

This section presents the standard operating procedures (SOPs) that the City of Mountain View uses for implementation of the performance standard, and identifies the division(s) within the City that are responsible for their implementation.

#### **Performance Standard #1.1: Notice of Intent (NOI) Filers**

- A complete initial storm water inspection shall be performed by March 1, 1997.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

The initial inspection of NOI filers has been completed.

#### **Performance Standard #1.2: Notice of Intent (NOI) Filers**

- A determination shall be made as to whether an inspected facility constitutes a significant potential threat to discharge pollutants to the storm drain collection system. Each NOI filer shall be categorized as a significant facility or a non-significant facility.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

Initial categorization of each NOI filer has been completed.

#### **Performance Standard #1.3: Notice of Intent (NOI) Filers**

- Significant facilities shall be inspected on an annual basis.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

Significant NOI facilities are entered into the city's environmental compliance computer database. The table below shows the inspection frequency for these and other facility categories.

#### **Performance Standard #1.4: Notice of Intent (NOI) Filers**

- Non-significant facilities shall be inspected at least once every three (3) years.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
Non-significant facilities are entered into the city's environmental compliance computer database. The table below shows the inspection frequency for these and other facility categories.

**Performance Standard #1.5: Notice of Intent (NOI) Filers**

- At the beginning of each fiscal year, the lists of significant and non-significant NOI filers shall be reviewed and revised as needed.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
In practical terms, facilities are reviewed during each inspection. At the end of the inspection, the inspector indicates on the inspection form whether to change the facility's inspection status based upon the results of the inspection.

**Performance Standard #1.6: Notice of Intent (NOI) Filers**

- Any facility that files an NOI after March 1, 1997, shall undergo its initial inspection by within one (1) month of filing and notification of the City. The determination of whether the facility is significant or non-significant shall be made immediately following the initial inspection.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
Receipt of a new NOI will automatically trigger an urban runoff inspection. If the NOI is filed by a new facility or one which did not previously have a hazardous materials permit or industrial pretreatment permit, these inspections would be coordinated with the urban runoff inspection.

**Performance Standard #1.7: Notice of Intent (NOI) Filers**

- During the initial inspection, it will be verified that the facility has submitted an NOI.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
If NOI facilities have filed an NOI with the State and appear on a list provided by the State, what is the purpose of verifying this??

**Performance Standard #2.1: Non-Filer Investigations**

- All industrial facilities that conduct activities identified by the following Standard Industrial



Classification (SIC) codes will undergo an initial inspection by March 1, 1997: 5015 (Automobile Dismantlers), 5093 (Other Recycling Industries), the 3200 series (Stone Clay and Concrete Products Industry), and the 4100 & 4200 series (Trucking Facilities that perform on-site vehicle repair, maintenance or washing). The frequency of follow-up inspections, if deemed necessary, will be determined by the City of Mountain View.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
The City has completed its database review for these SIC codes. There is one trucking facility that has already filed and NOI and is on the "high-hazard" (annual inspection) list. There was a concrete processing plant, but it closed in 1996. These are the only facilities within the city limits with the specified SIC codes.

**Performance Standard #2.2: Non-File Investigations**

- All other facilities not specifically addressed by this Performance Standard shall be characterized and included in the inspection schedule should their actual or potential to contribution to pollution runoff warrant it.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
Through hazardous materials inspections, fire code inspections, referrals from other agencies and city employees, and other means, various categories of facilities may be shown to be potential sources of pollutant runoff, and, as such, warrant inclusion in the group of facilities addressed by the Performance Standard. When such categories are identified, those facilities shall be included in either an annual, two-year, or three-year inspection cycle, depending on a determination by the inspector whether the facility is a significant or non-significant source of pollutant runoff. These categories are reviewed annually and may be re-categorized based upon inspection results.

**Performance Standard #3.1: Commercial Facilities**

- Facilities with a Pretreatment permit will be inspected at least every two (2) years.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
Facilities discharging to the sanitary sewer with a pretreatment permit are entered into the city's environmental compliance computer database. The table below shows the inspection frequency for these and other facility categories.

**Performance Standard #3.2: Commercial Facilities**

- Facilities with a Pretreatment permit for zero discharge to the sanitary sewer system will be inspected every two (2) years.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
Zero discharge facilities are entered into the city's environmental compliance computer database. The table below shows the inspection frequency for these and other facility categories.

**Performance Standard #3.3: Commercial Facilities**

- Vehicle service facilities will be inspected at least every two (2) years.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
Vehicle service facilities are entered into the city's environmental compliance computer database. The table below shows the inspection frequency for these and other facility categories.

**Performance Standard #3.4: Commercial Facilities**

- Food service facilities will be inspected at least every three (3) years.

Responsible Division:  
Santa Clara County Health Department

Implementation Procedures:  
The Santa Clara County Health Department conducts food service facility inspections within the county. The department has agreed to review non-point source issues during these inspections and forward referrals to our division for follow-up and enforcement, if warranted. During the last year, we received approximately 5 referrals.

**Performance Standard #4.1: General Administration**

- The City will establish and maintain a current inventory list of all facilities addressed by this Performance Standard.

Responsible Division:  
Environmental Safety Division, Fire Department

Implementation Procedures:  
The Environmental Safety Division maintains an up-to-date list of all facilities covered by this Performance Standard in its environmental computer database. This database is continually being updated as facilities close, new facilities start business, or existing facilities amend their operations. The database is compiled from the following external sources:

- agency inspections (Hazardous Materials, Fire Code, Building Code, Planning);
- updates submitted by the regulated businesses;
- referrals (from residents, other businesses and city employees);
- other agency databases;
- business licenses;

- yellow pages;
- manufacturing directories;
- field surveys; and
- business newsletters (such as Chamber of Commerce and Business Journal).

**Performance Standard #4.2: General Administration**

- All facilities addressed by this Performance Standard will be inspected to determine the existence of discharges or threatened discharges which are illegal under the City of Mountain View's sewer use ordinance (Chapter 35, MVCC).

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

Prior to an inspection, the inspector reviews existing site information and the regulatory history of the facility. While setting up an inspection appointment is at the inspector's discretion, practically speaking, appointments are only set up for larger facilities.

The inspector uses the "Storm/Sanitary Sewer Inspection Notice" form in the Appendix as his/her primary inspection tool. This Notice includes inspection items for determining the existence of illegal discharges or threatened discharges, as described in our local sewer use ordinance (Chapter 35, MVCC). A copy of the Notice is left with the facility owner/operator to provide written documentation of the inspection, the violations noted during the inspection, the time allowed to correct the violations, and a reinspection date.

The inspection process itself, and any follow-up inspections or enforcement actions, follow the "Enforcement Response Plan" included in the Appendix.

**Performance Standard #4.3: General Administration**

- Facilities for which a referral or complaint is received will be responded to promptly; a full inspection will be performed as soon as reasonable under the circumstances.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

This is a standard operating procedure. As discussed in the City's "Illicit Connection and Illegal Discharge" performance standard, the Environmental Safety Division responds promptly to referrals and complaints in order to improve its chances of identifying a responsible party as well as reducing the environmental impact of the spill or release. In most cases, inspectors are dispatched immediately to the scene. In those cases where inspectors are not available and a discharge is occurring, firefighters are dispatched via 911. In cases where a discharge is not occurring and inspectors are not immediately available, the referral is followed-up as soon as an inspector is available.

Once the inspector arrives at the facility, he/she investigates the referral or complaint and may complete an entire facility inspection if the incident warrants such action. The inspector has discretion regarding whether to complete an entire inspection at that time based on the extent and severity of the incident, preparedness of the facility to deal with the incident, and overall

**Performance Standard #4.2.1: Record Keeping/Reporting**

- For any SWIDs discovered, a Storm Water Infiltration Device (SWID) notification card will be completed. One copy will be submitted to the Santa Clara Valley Water District's Water Quality Unit and another to the Santa Clara Valley Urban Runoff Pollution Prevention Program.

Responsible Division:

Fire and Environmental Protection Division, Fire Department

Implementation Procedure:

During all Industrial/Commercial facility inspections, inspectors will determine if storm water infiltration devices (SWIDs) exist at the site. Referral notification cards for SWIDs that are identified will be sent to the Santa Clara Valley Water District's Water Quality Unit and another to the Santa Clara Valley Urban Runoff Pollution Prevention Program.

condition of the facility as it concerns pollutant runoff.

**Performance Standard #4.4: General Administration**

- Significant problems which cannot be addressed promptly and fully under local authority shall be referred to the Regional Board or other appropriate agency.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

This is standard operating procedure and is a good incentive for businesses to comply at the local level.

**Performance Standard #4.5: General Administration**

- Inspections will be documented by, and the documentation maintained in the files of, the City of Mountain View. A checklist that contains all of the elements in the standard Santa Clara Urban Runoff Facility Inspection Checklist (see checklist on following page) will be used.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

This is standard operating procedure. Inspection notices are maintained in each facility's file. All hardcopy inspection reports are public record and available to the public for review. In addition to hardcopy inspection reports, an environmental database has been established to record the following information:

- numbers and types of facilities inspected;
- numbers required to submit NOIs that have and have not done so;
- numbers not required to submit NOIs
- numbers and types of violations identified;
- remedial actions taken;
- numbers and types of enforcement actions taken

This information is used for annual reporting purposes and to aid in annual effectiveness evaluation as described below.

**Performance Standard #4.6: General Administration**

- The City will ensure that all inspectors are adequately trained. Refresher training shall be conducted at least annually.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

Inspector training is an ongoing issue. When inspectors come up against specific issues in the field, these issues are brought to a meeting in which all inspectors participate. At that time, discussion and final resolution is discussed between all inspectors. In some cases, the inspection report or inspector guidelines may need to be amended to include the consensus

guidelines. In addition, annual refresher inspector training is conducted by the Program Manager.

**Performance Standard #4.7: General Administration**

Best Management Practice (BMP) information will be distributed to those facilities which do not already have them at the time of the inspection. These BMP documents include the Santa Clara Valley Urban Runoff Program literature for: Industrial Facilities, Construction, Food Service Facilities and Vehicle Service Facilities, and will be distributed as appropriate depending on the type of facility inspected.

In cases where structural or engineering controls may be required, the inspector will provide this information and explain appropriate city permitting procedures to assist the facility in its compliance effort.

As part of its "Public Education and Outreach Activities" master plan, the City of Mountain View will distribute source minimization and pollution prevention materials to industrial and commercial facilities throughout the year.

**Responsible Division:**

Environmental Safety Division, Fire Department

**Implementation Procedures:**

All inspectors carry BMP literature in their company vehicles and distribute them to the facilities during or at the conclusion of the inspection, if warranted. In some cases, structural or engineering controls such as containment berms, sediment settling tanks, etc. may be required. In these cases, the inspector supplies the facility with drawings, vendor lists and other reference materials to aid him/her in complying with the requirement. The inspector also reviews the city permitting process with the facility to ensure it is followed.

The Environmental Safety Division will supplement its one-on-one education effort during the inspection process with an ongoing education effort throughout the year. This effort will be incorporated into the City's "Public Education and Outreach Activities" master plan. Outreach will be prioritized for those facilities in which common violations are occurring, or those for which new or amended BMPs have been established. The messages will describe the activity that is in violation, the environmental reasons for concern over the activity, and available options and BMPs for controlling or completely eliminating the activity. In most cases, this outreach will include direct mailings to the individually affected businesses.

**Performance Standard #4.8: General Administration**

- The City will conduct an annual effectiveness evaluation to determine what modifications in the program are warranted to ensure continuous improvement.

**Responsible Division:**

Environmental Safety Division, Fire Department

**Implementation Procedures:**

As part of its annual report, the Environmental Safety Division reviews the list of violations over the past year to determine areas of concern. Responses to these concerns may result in increasing the inspection frequency for a particular category of industry, providing additional

outreach materials, stepping up enforcement actions, or other options. The goal with this evaluation is to get to a point where violations, if any, are minor in scope and all major issues have been adequately addressed.

**Performance Standard #4.9: General Administration**

- The City includes a summary of industrial/commercial inspections and enforcement actions taken during the past year as part of its Annual Report.

Responsible Division:

Environmental Safety Division, Fire Department

Implementation Procedures:

This summary will be included as part of the Annual Report.

<b>FACILITY CATEGORY*</b>	<b>CITY OF MOUNTAIN VIEW INSPECTION FREQUENCY</b>
"High-Hazard" facilities	Annual
"Significant NOI" facilities	Annual
"Pretreatment permit" facilities	Annual
"Non High-Hazard" facilities	Every two years
"Non-Significant NOI" facilities	Every two years
"Zero discharge" facilities	Every two years
"Vehicle service" facilities	Every two years
"Food service" facilities	Every three years

\*See "Definitions" section of this document for a description of these categories.

**Performance Standard and Supporting Documents for the  
Industrial/Commercial Discharger Control Program**

**CITY OF MOUNTAIN VIEW ANNUAL REPORT FORM**

The form listed below will be submitted as the City's Annual Report. The Annual Report will identify whether the City of Mountain View has complied with the Industrial/Commercial Discharger Control Program performance standards during the previous year. Additional supporting documentation will be maintained at City offices and made available for public review.

**Notice of Intent (NOI) Filers**

- 1) Have all NOI filers (facilities which have filed an NOI with the State and appear on a list provided by the State) and all facilities with individual NPDES permits for storm water discharge been inspected by March 1, 1997?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 2) Has the determination been established as to whether each NOI filer and each NPDES permitted facility constitutes a significant potential threat to discharge pollutants to the storm drain system?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 3) Are significant NOI facilities inspected on an annual basis?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 4) Are non-significant NOI facilities inspected at least once every three years?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 5) Have you reviewed and revised, as needed, the lists of significant and non-significant NOI filers?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 6) Are new NOI filer facilities inspected within one month of the corresponding filing date and notification of the City?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 7) Have all industries identified as non-NOI filers been referred to the Regional Board?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

**Non-Filer Investigations**

- 8) Have all facilities with the following SIC codes: 5015, 5093, 3200 series, 4100 series, 4200 series been inspected by March 1, 1997?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.



- 9) Have all other facilities not specifically addressed by this Performance been characterized and included in the inspection schedule should their actual or potential to contribution to pollution runoff warrant it?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

### **Commercial Facilities**

- 10) Are all facilities with Pretreatment permits, Pretreatment permits for zero discharge and vehicle service facilities inspected on a two year cycle?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 11) Are all food service facilities inspected on a three year cycle?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

### **General Administration**

- 12) Has the City established and maintained a current list of all facilities addressed by this Performance Standard?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 13) Have all facilities addressed by this performance standard been inspected within the time frames stated to determine the existence of discharges which are illegal under the City's sewer use ordinance?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 14) Have all facility inspections been conducted using the standard Santa Clara Valley Inspection Checklist or a checklist that contains all elements in the checklist?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 15) Have facility operators been notified of observed areas of concern?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 16) Have official actions on violations under local authority taken place?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 17) Have all facilities for which a complaint is received been responded to promptly and a full inspection performed, or scheduled to be performed, as soon as reasonable under the circumstances?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 18) Are significant problems which cannot be addressed under local authority referred to the Regional Board or other appropriate agency?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 19) Have facility inspections been documented and are records maintained in the City's files?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

- 20) Has the City conducted its annual training for all inspectors?  
 Yes  No  
If yes, describe the training provided during the past year.  
If no, provide a detailed explanation and time schedule for implementation.
- 21) Has the City distributed best management practice information to facilities which do not already have such material at the time of inspection?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 22) Has the City distributed information and provided assistance with structural and engineering controls when applicable?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 23) Has the City distributed source minimization and pollution prevention materials to regulated facilities throughout the year as part of your "Public Education and Outreach" master plan?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.
- 24) Has the City completed its annual effectiveness evaluation?  
 Yes  No  
If yes, include the annual effectiveness evaluation in this report.  
If no, provide a detailed explanation and time schedule for implementation.
- 25) Has the City attached a summary of inspections performed this year, along with enforcement actions taken?  
 Yes  No If no, provide a detailed explanation and time schedule for implementation.

# APPENDICES

## CITY OF MOUNTAIN VIEW ENFORCEMENT RESPONSE PLAN

### I. PURPOSE OF THIS DOCUMENT

To reduce duplication of effort between city departments and streamline the reporting and permitting requirements of multiple environmental programs for the business community, the City of Mountain View consolidated its environmental enforcement programs within the Environmental Safety Division of the Mountain View Fire Department. Many of the state and federal oversight agencies for these environmental programs require the local administering agency to have some sort of "enforcement response plan" to competently enforce the laws and regulations for their particular program. In an effort to avoid authoring a separate plan for each program administered by the city, a single comprehensive plan which covers all programs was deemed more appropriate. The purpose of this document is to describe the general flow of the enforcement escalation process as well as outline the enforcement actions available to the city while administering these programs.

### II. LEGAL AUTHORITY

Currently, the Environmental Safety Division of the Mountain View Fire Department administers and enforces the following programs within the city limits of Mountain View, California:

#### Environmental Program

- Hazardous Materials Program
  
- Toxic Gas Program
  
- Underground Storage Tank Program
  
- Industrial Pretreatment Program  
(Sanitary Sewer Discharges)
  
- Santa Clara Valley Urban Runoff Program  
(Storm Sewer Discharges)
  
- Hazardous Waste Generator Onsite Treatment  
(PBR, CA and CE tiers)
  
- Aboveground Storage Tank Program Spill  
Prevention Control and Countermeasure Plan

#### Authority

- Chpt. 24, MVCC &  
H&S Code, Div. 20, Chpt. 6.95, Art. 1 &  
Title 19 CCR Sec. 2620-2732
  
- Chpt. 24, MVCC
  
- H&S Code, Div. 20, Chpt. 6.7 &  
Title 23, Div.3, Chpt. 16 CCR
  
- Chpt. 35, MVCC & 40 CFR
  
- Chpt. 35, MVCC
  
- H&S Code, Div. 20, Chpt. 6.5 &  
Div. 4.5, Title 22 CCR
  
- H&S Code, Div. 20, Chpt. 6.67,  
Sec. 25270.5(c)

### III. ENFORCEMENT PHILOSOPHY

The City of Mountain View's enforcement philosophy is to allow the responsible party every opportunity to succeed in complying with the directives issued. To promote this approach, inspection staff are trained to consider their primary function as that of educator and consultant resource, and only secondarily as enforcing agent. City staff explain and document all violations and offer options available for compliance. City staff also provide the responsible party lists of contractors, vendors, and other environmental professionals if requested, or if the inspector feels that such outside help is needed by the responsible party to achieve compliance. City staff work cooperatively with the responsible party during large or extended compliance projects to ensure that progress is continually being made towards full compliance.

### IV. ENFORCEMENT ESCALATION PROCESS (See attached diagram)

#### Initial Inspection

A. An initial inspection may be conducted for a variety of reasons. These include:

- Routine or regularly-scheduled inspection (example: an annual inspection of a toxic gas facility or a wastewater discharger regulated under a federal category);
- Non-routine inspection (example: an unannounced inspection of a painting contractor to assure that quantities of flammable liquids has not been increased to exceed his permit amounts);
- Referral from an engine company or other fire inspector (example: an engine company calls to say they inspected a new woodworking facility which did not have a hazardous materials permit);
- Referral from a city employee/division (example: personnel from the city's "streets" division call to report they witnessed a restaurant employee washing floor mats into the alley which discharges into the storm drain);
- Referral from neighboring facility or resident (example: a neighborhood resident calls to complain they saw a carpet cleaning company dumping wastewater into the street).

B. The inspection process is described below. These items meet or exceed Health and Safety Code section 25185 as required for hazardous waste and tiered permitting (hazardous waste treatment) inspections.

- An inspector may enter and inspect a factory, plant, construction site, disposal site, transfer facility, or any establishment or any other place or environment where hazardous materials or hazardous wastes are stored, handled, processed, disposed of, or being treated to recover resources.
- An inspector may carry out sampling activities, including obtaining samples from any individual or taking samples from the property of any person or from any vehicle in which any inspector reasonably believes has transported or is transporting hazardous waste. However, upon request, split samples shall be given to the person from whom, or from whose property or vehicle, the samples were obtained.
- An inspector may stop and inspect any vehicle reasonably suspected of transporting hazardous wastes when accompanied by a uniformed peace officer in a clearly marked vehicle.
- An inspector may inspect and copy any records, reports, test results, or other information required to carry out enforcement of the environmental programs listed in this plan.
- An inspector may photograph any waste, waste or hazardous materials container, waste or hazardous materials container label, vehicle, waste treatment process, waste disposal site, or condition constituting a violation of law found during an inspection.

During the inspection, the inspector shall comply with all reasonable security, safety, and sanitation measures. In addition, the inspector shall comply with reasonable precautionary measures specified by the operator.

At the conclusion of the inspection, the inspector shall deliver to the operator of the facility or site a written summary of all violations ("SOV") alleged by the inspector. The inspector shall, prior to leaving the facility or site, deliver the written summary to the operator and shall discuss any questions or observations that the operator might have concerning the inspection.

When the number, type or complexity of the violations warrant such actions, the inspector may prepare a separate inspection report which fully detail all observations made at the facility or site, all alleged violations, the factual basis for alleging those violations, and any corrective actions that should be taken by the operator of the facility or site. The inspector shall provide a copy of the inspection report to the operator within two weeks of the inspection. The inspection report shall include all pertinent information, including, but not limited to, documents, photographs, and sampling results concerning the alleged violations. The inspector shall provide this information to the operator with the inspection report, including all photographs taken by the inspector in the course of the inspection and all laboratory results obtained as a result of the inspection. If sampling or laboratory results are not available at the time that the inspection report is prepared, that fact shall be contained in the report. Those results shall be provided to the operator within 10 working days of their receipt by the inspector.

The time period required by the above paragraph may be extended as a result of a natural disaster, inspector illness, or other circumstances beyond the control of the inspector if the Fire Department so notifies the operator and provides the inspection report to the operator in a timely manner after the reason for the delay is ended.

Information from the inspection report, or the report itself, may be withheld by the Fire Department if necessary to a criminal investigation or other ongoing investigation in which the Fire Department determines, in writing, that disclosure of the information will result in a substantial probability of destruction of evidence, intimidation of witnesses, or other obstruction of justice.

The Fire Department shall, at the operator's request, discuss the inspection report with the operator, review the inspection report and determine whether the operator's responses and documented or proposed corrective actions would be sufficient to comply with the requirements, or if any allegation of a violation is unwarranted.

The operator of the site or facility which receives an inspection report or SOV pursuant to the above shall submit a written response to the Fire Department within 60 days of receipt of the inspection report or SOV which shall include a statement documenting corrective actions taken by the operator or proposing corrective actions which will be taken by the operator, for purposes of compliance or disputing the existence of the violation. Upon receiving the written response from the operator, the Fire Department shall, upon the request of the operator, meet and confer with the operator regarding any questions, concerns or comments that the operator may have concerning the inspection report. The Fire Department shall, within 30 working days from the date of the SOV or receipt of a response which documents or proposes corrective action, or which disputes the existence of a violation, determine whether the corrective actions documented or proposed to be taken by the operator, if implemented as stated or proposed, will achieve compliance, or whether a violation is still alleged, as applicable, and shall submit a written copy of that determination to the operator, in the form of a report of violation or other appropriate document. If the Fire Department fails to make the determination and submit a copy of the determination within 30 working days from the date of receipt of the operator's response, the Fire Department may not seek penalties for continuing violations or any alleged new violations caused by the corrective actions taken by the operator, until the Fire Department submits the determination to the operator and provides the operator with a reasonable time in which to make necessary operational modifications which differ from those proposed to the Fire Department.

In lieu of requiring the operator of the site or facility to submit a written response to the Fire Department as described above, the Fire Department may waive this requirement and choose to conduct

follow-up inspections to verify compliance, as described in the sections of this plan entitled "First Reinspection", "Second Reinspection", and "Third Reinspection".

Whenever information, including, but not limited to, documents, photographs, and sampling results, has been gathered, the Fire Department shall notify the person whose facility was inspected prior to public disclosure of the information, and upon request of that person, shall submit a copy of any information to that person for the purpose of determining whether trade secret information, as defined in Health and Safety Code section 25713, or facility security would be revealed by the information. "Public disclosure" shall not include review of the information by a court of competent jurisdiction or an administrative law judge. That review may be conducted in camera at the discretion of the court or judge.

### C. Minor ("Non-significant") violations

The majority of violations observed during the course of the initial inspection are minor violations and do not require immediate corrective action. The following examples describe minor violations:

- Failure to completely update an Environmental Compliance Plan;
- Failure to keep secondary containment dry;
- Failure to calibrate a pH probe;
- Threatened (not actual) illegal discharges to the sanitary or storm sewer.

The procedures for documenting these violations and corrective actions are described below. These items meet or exceed Health and Safety Code section 25187.8 as required for hazardous waste and tiered permitting (hazardous waste treatment) inspections.

A "Notice to Comply" ("NTC") shall be given to the facility operator before leaving the site. A facility which receives an NTC shall have not more than 30 days from the date of receipt of the NTC in which to achieve compliance with the permit conditions, rule, regulation, standard, or other requirement cited on the NTC. Within five working days of achieving compliance, an appropriate person who is an owner or operator of, or an employee at, the facility shall sign the NTC and return it to the Fire Department which states that the facility has complied with the NTC. In lieu of submitting this statement, the inspector may verify that compliance has been achieved during a follow-up inspection.

A single NTC shall be issued for all minor violations cited during the same inspection and the NTC shall separately list each of the cited minor violations and the manner in which each of the minor violations may be brought into compliance.

An NTC shall not be issued for any minor violation which is corrected immediately in the presence of the inspector. Immediate compliance in that manner may be noted in the inspection report, but the facility shall not be subject to any further enforcement action by the Fire Department for these violations.

Except as otherwise provided below, an NTC shall be the only means by which the Fire Department shall cite a minor violation. The Fire Department shall not take any other enforcement action against a facility which has received an NTC if the facility complies with this section.

If a facility that receives an NTC disagrees with one or more of the alleged violations listed on the NTC, the owner shall give the person who issued the NTC written notice of disagreement. If the issuing agency takes administrative enforcement action on the basis of the disputed violation, that action may be appealed.

Notwithstanding any other provision of this plan, if a facility fails to comply with an NTC within the prescribed period, or if the Fire Department determines that the circumstances surrounding a particular minor violation or combination of minor violations are such that immediate enforcement is warranted to prevent harm to the public health or safety or the environment, the Fire Department may take any needed

enforcement action authorized under applicable federal, state, and local codes and ordinances.

Notwithstanding any other provision of this section, if the Fire Department determines that the circumstances surrounding a particular minor violation or combination of minor violations are such that the assessment of a civil penalty pursuant to this chapter is warranted or is required, in addition to issuance of an NTC, the Fire Department shall assess that civil penalty in accordance with applicable federal, state and local laws, regulations and ordinances if the Fire Department makes written findings that set forth the basis for that determination.

An NTC issued to a facility pursuant to this section shall contain an explicit statement that the facility may be subject to reinspection at any time by the Fire Department. Nothing in this section shall be construed as preventing the reinspection of a facility to ensure compliance with the applicable environmental programs or to ensure that minor violations cited in an NTC have been corrected and that the facility is in compliance.

Nothing in this section shall be construed as preventing the Fire Department from requiring a facility to submit reasonable and necessary documentation to support the facility's claim of compliance.

#### D. Major ("Significant") violations

Typically, if a major violation is observed, immediate action is taken by the inspector to mitigate the problem. A major violation is defined as one which represents a "significant threat to human health and safety or the environment". Major violations would also include chronic violations or violations committed by recalcitrant violators. The following examples describe major violations:

- Hazardous or unsafe conditions: for example, an employee is seen welding near a gasoline tank;
- Illegal discharge to sanitary sewer: for example, a laboratory is discharging acidic solutions directly into the sanitary sewer without treatment;
- Illegal discharge to storm sewer: for example, a commercial facility is discharging vehicle wash water directly to the ground, which flows to a nearby storm drain;
- Illegal disposal of hazardous materials/waste: for example, an automotive repair facility dumps waste oil onto the fence line of the property.

When immediate action is taken, the NTC will usually require the responsible party to immediately cease the non-compliant action and may provide for appropriate follow-up by a certain time, typically within several hours.

#### **First Reinspection**

The first reinspection is conducted to visually evaluate the progress made towards complying with the NTC issued in the initial inspection record. If all violations noted in the initial inspection record's NTC have been complied with, the enforcement process ends. If not, any remaining minor violations are recorded in the first reinspection record as an SOV. This record again includes an NTC which specifies the time by which compliance shall be achieved.

#### **Second Reinspection**

The second reinspection is conducted to visually evaluate the progress made towards complying with the NTC issued in the first reinspection record. If all violations noted in the first reinspection record's NTC have been complied with, the enforcement process ends. If not, any remaining minor violations are recorded in the second reinspection record as an SOV. This record again includes an NTC which specifies the time by which compliance shall be achieved.

The second reinspection, and all subsequent inspections, are billed to the responsible party on a per-hour



basis.

### **Notice of Violation**

A "Notice of Violation" may be issued to the responsible party when:

- Major violations are discovered or
- Minor violations have not been corrected or substantially corrected after the second reinspection.

The Notice is sent to the environmental contact of the responsible party via registered mail, as well as a copy to his/her superior. It essentially reiterates information already provided to the responsible party during the previous inspection, but emphasizes the severity of the situation, and provides written notice to more senior personnel. The Notice includes:

- An enumeration of the violations found;
- The inspection date(s);
- A directive to cease the violation immediately;
- A directive to investigate the cause of the problem (if applicable);
- A directive to report the findings of the investigation and provide evidence of return to compliance (if applicable);
- A directive to proceed with corrective actions; and
- A directive to complete prescribed corrective actions by a certain date.

The Notice may also stipulate a follow-up inspection date during which the inspector will visually evaluate the progress made towards complying with the violations recorded in the Notice.

### **Third Reinspection**

If all violations noted in the second reinspection record's NTC have been complied with, the enforcement process ends. If not, any remaining violations are recorded in the third reinspection record as an SOV, and enforcement action is escalated to the next step.

This inspection is billed to the responsible party on a per-hour basis.

## **V. ENFORCEMENT ACTIONS**

The inspector has a number of enforcement actions to choose from, depending on his/her judgement and experience as to which option will result in the most expeditious compliance:

### **1. "Stop Use" notice**

A "Stop Use" notice can address a specific piece of equipment if that equipment has not been permitted or is discharging wastewater illegally to the sanitary or storm sewer system. The inspector places the red "Stop Use" sign on the applicable piece of equipment. Should the inspector find that this equipment is being used after the sign is in place, a citation, infraction fine, or administrative penalty can be immediately assessed. The sign remains in place until the equipment is repaired, replaced or removed.

### **2. Citation (Criminal)**

Hazardous Materials Specialists and the Environmental Safety Manger are all authorized to issue field citations. Such a citation requires the inspector and responsible party to appear before a judge within 45 days. The judge makes the final determination on any compliance extensions and fines.

### **3. Amend existing permit**

The inspector may choose to amend the responsible party's existing permit with additional or modified requirements. For example, a facility which has continually failed to update its ECP as required by ordinance may be additionally required in their permit to provide ECP updates every quarter.

4. Issue provisional permit

The inspector may choose to issue a provisional permit in place of the responsible party's full-term permit. Provisional permits describe the limited conditions under which the responsible party may continue its hazardous materials storage/use or wastewater discharge. Provisional permits are issued for a limited length of time (usually no more than 6 months). At the time of expiration of the provisional permit, the responsible party is required to have displayed full compliance with the directives issued so that a full-term permit can be re-issued.

5. Suspend/Revoke permit

The inspector may choose to suspend or revoke the responsible party's hazardous materials or industrial pretreatment permit. In such case, the applicable hazardous materials or wastewater producing equipment must be removed from the site within 30 days of written notice. Failure to remove the materials or equipment can result in issuance of a citation. Once the responsible party is able to demonstrate compliance with the directives issued, it must re-apply for a full-term permit.

6. Civil/Criminal litigation

Depending on the extent and severity of violations, as well as the degree to which the responsible party shows a genuine interest in correcting the violations, the inspector may refer the case to the District Attorney or City Attorney to pursue either civil or criminal litigation.

## VI. RECOVERY OF CITY CLEAN-UP COSTS

If the responsible party does not remove abandoned hazardous materials, or clean-up discharged materials from City or public property (such as gutters, storm drains and creeks) the City may conduct the work. If so, the responsible party is billed by the City for time and materials. This billing procedure is conducted separately from any penalty action taken (described below).

## VII. PENALTIES/FINES

The main purpose of a penalty/fine is to create an incentive for future compliance and to insure that the responsible party does not financially benefit from a failure to comply with the environmental programs administered by the City. The City has a number of penalties/fines it can assess the responsible party. They include:

Penalty Type	Limits	Authority	Assessed By	Comments
Infraction	\$100 for first offense; \$200 for second offense within the same year; \$500 per each additional offense within the same year.	MVCC 24.10.0	City of Mountain View Environmental Safety Division	Usually included in the "Notice of Violation"

Penalty Type	Limits	Authority	Assessed By	Comments
Civil	Not to exceed \$500 per day per violation (Hazardous Materials Ord.)	MVCC 24.10.0	City of Mountain View City Attorney or Santa Clara County District Attorney	May be initiated at any point in the enforcement process
	----- Not to exceed \$25,000 per day per violation (Wastewater Discharge Ord.)	----- MVCC 35.32.15.2		
Administrative Complaint*	\$2,000/day for failing or refusing to furnish technical/monitoring reports; \$3,000/day for failing or refusing to timely comply with compliance schedules; \$5,000 per day per violation for discharges in violation of any waste discharge limitation, permit condition or requirement; \$10 per gallon for discharges in violation of any prohibition issued by City	MVCC 35.32.15.4	City of Mountain View Environmental Safety Division	Usually included in a "Notice of Violation"; Responsible Party may request hearing prior to payment.
Criminal	As established by H&S Code	NA	Santa Clara County District Attorney	May be initiated at any point in the enforcement process

\*It should be noted that issuance of an administrative penalty (as part of an administrative comp requires a hearing on the complaint within 60 days, unless the responsible party waives his/her hearing. The Fire Chief acts as the hearing officer during this process. The responsible party recourse to appeal the hearing officer's decision to the City Council.

In determining the type and amount of the penalty/fine, the inspector considers all relevant circ including the following:

- Extent of harm or potential harm caused by the violation;
- The nature and persistence of the violation;
- The length of time over which the violation has occurred;
- The frequency of past violations;
- The responsible party's record of maintenance;
- Corrective action, if any, taken by the responsible party;
- The extent of negligence or willful misconduct of the responsible party;

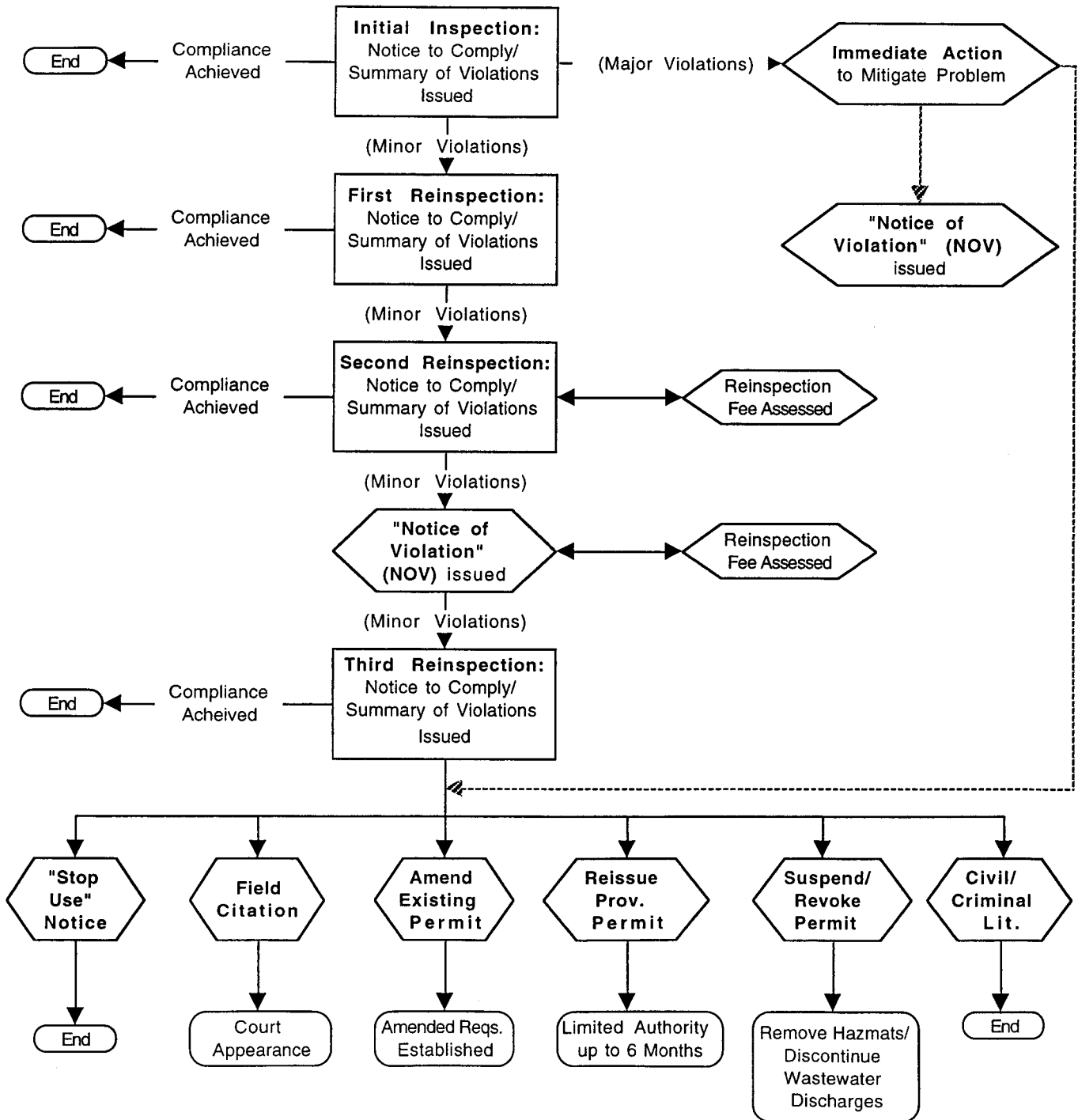
- The ability of the responsible party to pay the penalty/fine.

The following matrix is used as a general guideline in establishing penalty/fine assessments:

Violation Examples	Infraction Penalty	Civil Penalty	Admin. Penalty	Criminal Penalty
Failure to update Environmental Compliance Plan (ECP)	X			
Failure to obtain applicable permits (example: discharging process wastewater to the sanitary sewer without a permit)		X		X
Major violations (example: illegal disposal of hazardous materials/waste, illegal discharge to storm drain, etc.)			X	X
Minor violations, including administrative violations (example: failure to provide alarm on a pH probe, failure to provide emergency response training documentation, etc.)	X	X	X	

## City of Mountain View Environmental Safety Division Enforcement Escalation Process (11/96)

(Note: Penalties associated with infractions, administrative complaints, civil, or criminal litigation, may be assessed at any point in the enforcement escalation process.)





Business Name \_\_\_\_\_ Business Phone \_\_\_\_\_  
Business Address \_\_\_\_\_ Business Contact \_\_\_\_\_  
Inspection Date \_\_\_\_\_ Inspector \_\_\_\_\_ Facility ID \_\_\_\_\_

Inspection Number (circle one): 1 / 2 / 3 / 4 / 5 Principal Business Activity: \_\_\_\_\_

\*\*\*\*\*  
**CITY AND STATE CODE REQUIRES COMPLIANCE WITH THE ITEMS CHECKED BELOW:**

**IP-1. ENVIRONMENTAL COMPLIANCE PLAN (ECP):** **Code Reference**  
(MVCC 24.33)

An up-to-date and accurate ECP shall be maintained on site at all times.

- IP-1.1. Update the "Facility Directory" form.
- IP-1.2. Update the "Facility Map" form.
- IP-1.3. Update the "Wastewater Process Discharge" form (inc. any new or deleted local categories).
- IP-1.4. Complete a water audit comparing incoming water quantity with discharged water flows.

**IP-2. RECORD-KEEPING:**

a. If a **pH meter** is required, it shall be calibrated, maintained, and serviced at least annually. (MVCC 35.32.10.1)  
It shall also be inspected at least monthly for detecting malfunctions and deterioration.

- IP-2.1. Repair pH meter and provide receipt for repair work.
- IP-2.2. Provide monthly inspection log of pH meter.
- IP-2.3. Provide receipt or record of annual pH meter calibration.
- IP-2.4. Tie-in pH meter to audible and visual alarm (required if on-going pH discharge violations).
- IP-2.5. Tie-in pH meter alarm to automatic shut-down of wastewater flow (required if on-going pH discharge violations)

b. If **pH** is required to be manually measured prior to discharge, a pH record log is required. (MVCC 35.32.10.1)

- IP-2.6. Provide pH record log.

c. If a **flow meter** is required, it shall be calibrated, maintained and serviced annually. (MVCC 35.32.10.1)

- IP-2.7. Repair flow meter and provide receipt for repair work.
- IP-2.8. Provide monthly inspection log of flow meter.
- IP-2.9. Provide receipt or record of annual flow meter calibration.

d. If a **treatment system** is provided, it shall be maintained in proper working order and visually inspected daily for detecting malfunctions, deterioration, and unauthorized discharges. (MVCC 35.32.10.1)

- IP-2.10. Repair treatment system and provide receipt for repair work.
- IP-2.11. Provide daily inspection log of treatment system.

**IP-3. POLLUTION PREVENTION PROCEDURES:**

a. **Unauthorized discharges** of hazardous materials, hazardous wastes, or industrial wastes coming in contact with any floor, pavement, or ground surface shall be cleaned up immediately. (MVC35.32.10.1(B))

- IP-3.1. Clean up the following spills: \_\_\_\_\_

b. **Spill prevention and clean-up equipment** shall be kept in stock at all times. A sufficient supply and quantity shall be maintained to contain and remove the largest likely discharge. (MVCC 35.32.10.1(C))

- IP-3.2. Provide the following spill/clean-up equipment: \_\_\_\_\_

c. **Laboratory countertops or labs sinks** shall be separated with a ridge or lip to prevent hazardous materials spilled on the countertop from draining into the sink. (MVCC 35.32.10.1(N)(3))

- IP-3.3. Provide lip guards on the following sinks: \_\_\_\_\_



- d. **Interior floor drains** designed for industrial wastewater discharge shall be connected to the sanitary sewer and such discharge permitted. (MVCC 35.32.10.1(D))
- IP-3.4. Cap and seal the following drains: \_\_\_\_\_
  - IP-3.5. Obtain a wastewater discharge permit for the following: \_\_\_\_\_
  - IP-3.6. Provide lip/berm around safety shower drain located \_\_\_\_\_
- e. **Tanks, containers or sinks** containing hazardous materials, hazardous waste or industrial wastes shall not be discharged to the sanitary sewer without an industrial wastewater discharge permit. (MVCC 35.32.2.1)
- IP-3.7. Remove the drain(s) from the following equipment: \_\_\_\_\_
  - IP-3.8. Obtain a wastewater discharge permit for the following: \_\_\_\_\_
- f. **Process piping** shall be labeled with contents and direction of flow every 20 feet and at each change in direction. (MVCC 35.32.2.6)
- IP-3.9. Label the process piping in the following area(s): \_\_\_\_\_
- g. **Wet sanding water** from autobody shops shall be discharged to a treatment system (settling tanks for 48 hours) and such discharge permitted or hauled offsite as hazardous waste. (MVCC 35.32.10.1(Y))
- IP-3.10. Install a settling tank treatment system and obtain wastewater discharge permit.
  - IP-3.11. Establish hazardous waste collection drums for your wastewater and haul off as hazardous waste.
- h. **Wash/rinse water** from vehicle cleaning shall be discharged to a treatment system prior to discharge to the sanitary sewer and such discharge permitted. (MVCC 35.31.3)
- IP-3.12. Obtain an industrial wastewater discharge permit for wash/rinse water discharge.
  - IP-3.13. Install an approved treatment system for treating the wash/rinse water.
  - IP-3.14. Wash with water only (no soaps or detergents).
  - IP-3.15. Cease and desist all washing/rinsing operations.
- i. **Secondarily contain** all hazardous materials and waste (inc. batteries). (MVCC 24.9(c))
- IP-3.16. Provide secondary containment for: \_\_\_\_\_
- j. **Open Containers** containing hazardous materials, hazardous waste, or industrial waste shall not be left unattended unless in use or confined within secondary containment. (MVCC 35.32.10.1(E))
- IP-3.17. Provide lids for the following open containers: \_\_\_\_\_
  - IP-3.18. Place the following open containers within secondary containment: \_\_\_\_\_
- k. **Three-step floor cleaning procedures** shall be used in areas where hazardous materials are used or industrial wastewater is generated. (MVCC 35.32.10.1(G))
- IP-3.19. Clean and rinse floors using the following three-step floor cleaning process:
    - i) Clean up gross spills with rags or other absorbent materials;
    - ii) Sweep up any remaining absorbent materials;
    - iii) Mop areas requiring additional cleaning and discharge mop water to toilet or sink.
- l. **Amalgam traps** shall be installed at dental facilities using silver amalgams. (MVCC 35.32.10.1(H))
- IP-3.20. Install an amalgam trap. Contact the Building Official (650-903-6313) for plan check requirements and obtain a permit.
- m. **Grease removal device** shall be installed at commercial/industrial generators of grease. (MVCC 35.32.10.1(I))
- IP-3.21. Install a grease removal device. Contact the City's Building Official (650-903-6313) for plan check requirements and to obtain a permit.

#### IP-4. ADMINISTRATIVE

- a. All employees shall be trained, upon hiring and annually thereafter, regarding best management practices to control discharges to the sanitary sewer. (MVCC 35.32.14)
- IP-4.1. Provide copy of training curriculum.
  - IP-4.2. Provide copy of personnel training log.



**SIGNIFICANT STORM DRAIN DISCHARGES (MVCC 35.31.3)**

**URP-1. GENERAL:**

a. (Office use only: NOI & SWPPP required? Yes / No Significant source of pollution? Yes / No)

- URP-1.1. File a "Notice of Intent" (NOI) with the State Water Resources Control Board.
- URP-1.2. Complete a Storm Water Pollution Prevention Plan (SWPPP) and Storm Water Monitoring Plan (SWMP).

b. It is unlawful to discharge to any curb gutter, storm drain gutter, or creek any polluted water other than storm water. *Submit a proposal describing how you will eliminate discharges to the storm drain from the marked items:*

**URP-2. Outdoor Activities**

- URP-2.1. Vehicle or equipment fueling area
- URP-2.2. Vehicle or equipment washing (mats, filter, screen)
- URP-2.3. Vehicle and equipment maintenance or repair area
- URP-2.4. Raw material storage area
- URP-2.5. Hazardous materials handling and storage area
- URP-2.6. General construction activities area
- URP-2.7. Pressure cleaning or power washing
- URP-2.8. Equipment or vehicle storage area
- URP-2.9. General housekeeping
- URP-2.10. Other \_\_\_\_\_

**URP-3. Equipment**

- URP-3.1. Air compressors
- URP-3.2. Air Scrubbers
- URP-3.3. Boilers, chillers
- URP-3.4. Compactors/dumpsters
- URP-3.5. Cooling tower blowdown
- URP-3.6. Filter backflushing
- URP-3.7. Floor sinks or drains
- URP-3.8. Grease interceptor/Tallow bin
- URP-3.10. Groundwater dewatering device
- URP-3.11. Loading/unloading docks
- URP-3.12. Ponds/fountains/pools
- URP-3.13. Reverse osmosis/DI water units

**URP-4. ADMINISTRATIVE**

a. All employees shall be trained, upon hiring and annually thereafter, regarding best management practices to reduce or eliminate discharges to the storm drain. (MVCC 35.32.14)

- URP-4.1. Provide copy of training curriculum.
- URP-4.2. Provide copy of personnel training log.

b. All storm drains shall be stenciled in accordance with the City's stenciling program. (MVCC 35.32.10.1(J))

- URP-4.3. Stencil all storm drains.

c. (For Office Use Only: Any storm water infiltration devices (SWIDs) on site? Yes No )

**COMMENTS AND/OR EXPLANATIONS:**

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\_\_\_ NO VIOLATIONS HAVE BEEN IDENTIFIED. THANK YOU FOR YOUR COOPERATION.

\_\_\_ A REINSPECTION SHALL BE CONDUCTED ON OR AFTER \_\_\_\_. PLEASE CORRECT THE VIOLATIONS PRIOR TO THIS DATE.

\_\_\_ ALL VIOLATIONS HAVE BEEN CORRECTED. THANK YOU!

**OCCUPANT'S SIGNATURE:** \_\_\_\_\_

\_\_\_ Routine Inspection \_\_\_ Reinspection \_\_\_ Referral \_\_\_ Combined Inspection \_\_\_ Joint Inspection \_\_\_ Multimedia Inspection



# **CITY OF MOUNTAIN VIEW**

## **PUBLIC STREETS, ROADS, AND HIGHWAYS OPERATION AND MAINTENANCE PERFORMANCE STANDARD**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **Public Streets, Roads and Highways O&M - Performance Standard Review**

The Purpose of this memo is to document the City of Mountain View's review of its URMP and Performance Standards for Public Streets, Roads, and Highways O&M. No revisions have been made to this Performance Standard.

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**Performance Standard and Supporting Documents for  
Public Streets, Roads, And Highways Operation And Maintenance**

**INTRODUCTION**

**I. Introduction**

The goal of public agency activities control measures is to reduce or eliminate adverse water quality impacts of construction, operations, and maintenance activities by municipal agencies. The Public Streets, Roads, and Highways Operation and Maintenance (PSRH O&M) performance standard defines the level of implementation that the City of Mountain View shall attain to demonstrate that their local PSRH O&M activities reduce pollutants in storm water to the maximum extent practicable. This performance standard will be used as the basis for measuring the effectiveness of each municipal agency's street, road, and/or highway O&M activities.

The performance standard for PSRH O&M is based on an analysis of the potential water quality impacts of existing O&M practices, the current management practices that municipal agencies are implementing to minimize these impacts, and practices that are accepted by the State and Regional Boards as being effective in controlling these impacts. The performance standard is also consistent with the goals and objectives of the Public Agency Activities Component of the Program's *Storm Water Management Plan*.

Public agency activities related to the maintenance of storm drain systems are covered by the Program's *Storm Drain System Operation and Maintenance Performance Standard* dated March 1, 1996. Activities related to the planning and construction of municipal public works projects, including street, road, and highway improvements, are addressed in the Program's *Planning Procedures Performance Standards* and *Construction Inspection Performance Standards* (dated November 12, 1996).

**II. Definitions and Responsibilities**

Streets are defined as public thoroughfares in a city or town, including curbs, gutters, and sidewalks on one or both sides. Roads are defined as open, general public ways for the passage of persons and vehicles; many roads in rural or suburban areas do not have curbs and gutters. Highways are main public roads, especially ones connecting towns and cities. In Santa Clara Valley, most highways are maintained by the California Department of Transportation (Caltrans) while local expressways such as Guadalupe, Monterey, San Tomas, Capitol, and Lawrence are maintained by the County of Santa Clara. Other cities and towns operate and maintain most public streets and roads within their jurisdictions. The Santa Clara Valley Transportation Authority (SCVTA) also conducts maintenance of bus stops, light rail stations, and park-and-ride lots. Implementation of performance standards will require coordination between the Program's municipal agencies, Caltrans, and SCVTA.

**III. Existing O&M Activities and Potential Water Quality Impacts**

Existing O&M activities covered by this performance standard include the following:

- Street/Road/Highway Sweeping and Cleaning - Sweeping timing and frequency; sweeping equipment operation and selection; other measures to improve sweeping efficiency; management of material removed by sweeping; and street cleaning and flushing;
- Street/Road/Highway Repair and Maintenance - Asphalt/concrete removal; concrete installation and replacement; patching, resurfacing, and surface sealing; signing and striping; traffic detector loop installation and repair; and equipment cleaning, maintenance, and storage;
- Sidewalk/Plaza Maintenance - Cleaning; concrete installation and replacement; surface removal and repair; and landscape maintenance;
- Bridge and Structure Maintenance - Painting and paint removal; repair work; and graffiti removal;
- Median and Road Embankment Maintenance - Erosion controls; slide and embankment repair; irrigation practices; and vegetation controls (manual and mechanical removal, pesticide usage and pest management, and fertilizer usage);
- Litter Control; and
- Spill Control.

The City of Mountain View was surveyed in September 1996 about their current O&M activities. The results of this survey are summarized in the table below. The results show that most of the activities listed above are conducted by the City or are contracted out. There is substantial use of contractors to conduct some of these activities; therefore, ensuring that contractors employ best management practices to control pollutants from these activities is important. Caltrans is also listed as conducting O&M activities on streets, roads and highways within the City's jurisdiction.

Streets, roads, and highways are significant sources of pollutants in storm water discharges, and O&M practices, if not conducted properly, can contribute to the problem. Potential pollutants include: sediment from erosion of denuded roadside embankments and shoulders; debris from road, sidewalk, and bridge repairs; oil and grease and heavy metals from equipment leaks, asphalt replacement, painting, and equipment cleaning; and pesticides and fertilizers from vegetation control and landscape maintenance. These pollutants can damage aquatic and riparian habitat and be toxic to aquatic life.

### Streets/Roads/Highways O&M Activity Survey Results

Activity & Related Questions	Mountain View Responses (A= conducted by City of Mountain View, C=conducted by Contractor, No=Not Conducted, NA= Not Applicable)
1. Street/Road/Highway Sweeping and Cleaning	

Activity & Related Questions	Mountain View Responses (A= conducted by City of Mountain View, C=conducted by Contractor, No=Not Conducted, NA= Not Applicable)
a. Street Sweeping	A
<i>Type of sweeping equipment?</i>	Regenerative Air
<i>Sweeping material storage/dewater locations?</i>	Corporation Yard
<i>Sweeping material disposed</i>	Sanitary Landfill
b. Street cleaning by flushing with water	NO
<i>If cleaning by flushing with water, explain how often and for what purpose:</i>	NA
<b>2. Street/Road/Highway Repair and Maintenance</b>	
a. Asphalt/concrete removal	A,C
b. Patching, resurface, & surface seal	A,C
c. Signing and striping	A,C
d. Traffic detector loop install/repair	C
e. Equipment cleaning and flushing	A
<i>Where does cleaning of equipment take place?</i>	Corporation Yard
<b>3. Sidewalk/Plaza Maintenance</b>	
a. Cleaning	A,C
b. Surface removal and repair	A
c. Landscape maintenance	A
<b>4. Bridge and Structure Maintenance</b>	
a. Painting and paint removal	C
b. Repair work	C
c. Graffiti removal	A
<b>5. Median and Road Embankment Maintenance</b>	
a. Erosion controls	A, Caltrans
b. Slide and embankment repair	No, Caltrans
c. Irrigation practices	A, Caltrans
d. Vegetation controls	A, Caltrans
i. Manual/mechanical vegetation removal	A, Caltrans

Activity & Related Questions	Mountain View Responses (A= conducted by City of Mountain View, C=conducted by Contractor, No=Not Conducted, NA= Not Applicable)
ii. Pesticide usage	A, Caltrans
iii. Fertilizer usage	A, Caltrans
<b>6. Litter Control</b>	A
<b>7. Spill Control</b>	A

### III. Existing O&M Activities and Potential Water Quality Impacts (*continued*)

The Program's NPDES storm water discharge permit prohibits non-storm water discharges to storm drains (except for certain permissible discharges). Raw materials, wastes, and most washwater associated with O&M practices must be properly managed and not allowed to enter storm drains or watercourses.

Use of appropriate best management practices (BMPs) while performing O&M activities can significantly reduce potential discharges of pollutants to nearby storm drains and watercourses. Pollutants that may be controlled during each of the identified street/road/highway O&M activities are listed in the table below.

#### Pollutant Discharges Reduced by Street/Road/Highway O&M Activity BMPs

Activity	Pollutant Categories			
	Sediment/ Turbidity	Oil and Grease	Heavy Metals	Other BOD=biological oxygen demand
<b>1. Street/Road/Highway Sweeping and Cleaning</b>				
a. Street sweeping (material collected)	X	X	X	<i>coliforms, floatables, BOD</i>
b. Street cleaning by flushing with water	X	X	X	<i>soap, coliforms, floatables, BOD</i>
<b>2. Street/Road/Highway Repair &amp; Maintenance</b>				
a. Asphalt/concrete removal	X			<i>debris</i>
b. Concrete installation and repair	X			<i>alkalinity</i>
c. Patching, resurfacing, and sealing	X	X	X	
d. Signing and striping			X	<i>paint, debris</i>
e. Traffic detector loop installation and repair	X			<i>sealant</i>
f. Equipment cleaning and flushing	X	X	X	<i>soap, solvents</i>

<b>3. Sidewalk/Plaza Maintenance</b>				
a. Cleaning	X	X	X	<i>soap, solvents, BOD</i>
b. Surface removal and repair	X			<i>debris</i>
c. Landscape maintenance	X		X	<i>pesticides, nutrients, BOD</i>
<b>4. Bridge and Structure Maintenance</b>				
a. Painting and paint removal	X		X	<i>paint, solvents</i>
b. Repair work	X			<i>debris</i>
c. Graffiti removal	X		X	<i>solvents, paint</i>
<b>5. Median and Road Embankment Maintenance</b>				
a. Erosion controls	X			<i>debris, BOD</i>
b. Slide and embankment repair	X			<i>debris</i>
c. Irrigation practices	X			
d. Vegetation controls	X		X	<i>debris, pesticides, nutrients, BOD</i>
<b>6. Litter Control</b>	X	X	X	<i>floatables, BOD</i>
<b>7. Spill Control</b>	X	X	X	<i>spilled material or wastes</i>



**Performance Standard and Supporting Documents for  
Public Streets, Roads, And Highways Operation And Maintenance**

**DEFINITIONS**

- Best Management Practices (BMPs) - cost effective practices which comply with the City's NPDES storm water discharge permit and are accepted by the City of Mountain View and the Santa Clara Valley Urban Runoff program for minimizing discharges of polluted waters to the storm drain thereby protecting water quality in streams, the groundwater basin, and the bay.
- Chapter 35, MVCC - the City of Mountain View's Industrial Sewer Use Ordinance".
- Chapter 24, MVCC - the City of Mountain View's "Hazardous Materials Ordinance".
- Field Investigations - pro-actively looking for non-storm water flows.
- LD<sub>50</sub> - the lethal dose killing 50 percent of exposed organisms in toxicity tests.
- NPDES - "National Pollution Discharge Elimination System" and refers to the county-wide permit for discharging to the waters of the state. The City of Mountain View is a co-permittee identified in this permit.
- POTW - "Publicly-Owned Treatment Works. This is the facility that treats wastewaters entering the sanitary sewer system and discharges them to the bay.

**Performance Standard and Supporting Documents for  
Public Streets, Roads, And Highways Operation And Maintenance**

**PERFORMANCE STANDARD**

1. The City will implement best management practices (BMPs) for the street, road, and highway operation and maintenance (O&M) activities that it is responsible for conducting, in order to reduce pollutants in storm water to the maximum extent practicable and eliminate illicit discharges. Specific BMPs for each type of O&M activity will be those listed in the agency's Performance Standards document.
2. The City will develop and implement a process for ensuring that any contractor that it employs to conduct street, road, and highway O&M activities uses the appropriate BMPs adopted by the agency.
3. The City will provide training on an annual basis to its municipal staff in the use of appropriate BMPs. The City will also provide a mechanism for obtaining feedback from its City staff on the implementation and effectiveness of the BMPs.
4. The City will inform other parties conducting street, road, and highway O&M activities within the City's jurisdiction that they are expected to implement BMPs to reduce pollutants in storm water to the maximum extent practicable and eliminate illicit discharges.
5. As part of the annual reporting process, the City will review and evaluate the effectiveness of its BMPs in achieving the goals of reducing pollutants in storm water to the maximum extent practicable and eliminating illicit discharges. The review and evaluation will include input from municipal maintenance staff that implement the BMPs.

**Performance Standard and Supporting Documents for  
Public Streets, Roads, And Highways Operation And Maintenance**

**WORK PLAN IMPLEMENTATION**

The City of Mountain View currently implements the Public Streets, Road, and Highways Operation and Maintenance performance standards. The City will summarize its compliance efforts during the year in its Annual Report. The format of the Annual Report reporting form is in the "City of Mountain View Annual Reporting Form" section of this document. Additional supporting documentation will be maintained at City offices and made available for public review.

For a summary of the procedures the City uses to implement these performance standards, see the "Standard Operating Procedures" section of this document.

**Performance Standard and Supporting Documents for  
Public Streets, Roads and Highways Operations and Maintenance**

**LEGAL AUTHORITY TO IMPLEMENT**

The City of Mountain View has adequate legal authority to implement the Public Streets, Roads and Highways Operations and Maintenance performance standard. The list below summarizes the various legal instruments used by the City to do so. Also, refer to the section that describes best management practices and other control measures used by the City to implement the standard.

Summary of Legal Authority:

<b>LEGAL AUTHORITY</b>	<b>DESCRIPTION</b>
NPDES Permit No. CAS029718 (Order 95-180)	Stormwater permit for Santa Clara County and 13 co-permittees.
Memorandum of Agreement	Memorandum between the Santa Clara Valley Urban Runoff Pollution Prevention Program co-permittees, pursuant to the RWQCB NPDES Permit No. CAS029718.
City of Mountain View General Plan	Policy 16 requires establishment of pollution control measures to keep pollutants from entering Mountain View's storm drain system to protect the city's surface water resources. Policy 17 requires soil stabilization measures that prevent soil erosion and sedimentation.
Chapter 35, MVCC, Section 35.31.3	Prohibits discharge of sanitary sewage, industrial wastes or polluted waters to curbside gutter, storm sewer, storm drain or other natural outlet. Defines unlawful discharges to storm drain. Outlaws discharges of any pollutants or waters containing pollutants that violate the City's stormwater discharge permit or applicable water quality standards.
Chapter 35 MVCC, Section 35.32.10.1	Authorizes City to require "adequate protection" to prevent discharge of polluted water, hazardous materials, industrial wastes, or other wastes. Such protection includes "facilities" or "engineering controls".
Chapter 35 MVCC, Section 35.32.10.1(B)	Requires immediate clean-up of spills or leaks.

<b>LEGAL AUTHORITY</b>	<b>DESCRIPTION</b>
Chapter 35 MVCC, Section 35.32.10.1(T)	Requires a SWPPP for projects exceeding 5 acres. Defines acceptable during-construction practices in the document "Stormwater Pollution Prevention Guidelines for Construction Projects".

**Performance Standard and Supporting Documents for  
Public Streets, Roads, And Highways Operation And Maintenance**

**BEST MANAGEMENT PRACTICES AND CONTROL MEASURES**

This section contains the list of Best Management Practices (BMPs) used by the City of Mountain View as guidance for compliance in the implementation of the performance standard. The BMPs are grouped by activity.

**References for Model BMPs**

Alameda Countywide Clean Water Program, 1996. *Stormwater Management Plan: July 1996 to June 2001*. Appendix B, Performance Standards.

Bay Area Stormwater Management Agencies Association, 1996. *Pollution from Surface Cleaning*. Materials from the Pilot Source Control Program for Mobile Cleaners, Surface Cleaners Workshop, August 13, 1996.

Bay Area Stormwater Management Agencies Association, 1995. *Blueprint for a Clean Bay - Best Management Practices to Prevent Stormwater Pollution from Construction-Related Activities*.

California Department of Transportation, 1995. *Maintenance and Operations Plan for Caltrans District 4*. NPDES Permit No. CAS029998, Order No. 94-098.

Camp Dresser & McKee, et. al., 1993. *California Storm Water Best Management Practice Handbook (Municipal)*. Prepared for the State Stormwater Quality Task Force.

Santa Clara Valley Nonpoint Source Pollution Control Program, 1994. *Best Management Practices for the Construction Industry* (7 tri-fold brochures).

**BMP Applicability Summary Table for the City of Mountain View**

O&M Activities	BMPs do apply	BMPs do not apply	If BMPs do not apply, explain
<b>Street/Road/Highway Sweeping and Cleaning</b>			
Sweeping	X		
Street cleaning by flushing with water	X		
<b>Street/Road/Highway Repair and Maintenance</b>			
Asphalt/concrete removal	X		
Concrete installation and replacement	X		
Patching, resurfacing, and surface sealing	X		
Signing and striping	X		
Traffic detector loop installation and repair	X		
Equipment cleaning, maintenance, and storage	X		
<b>Sidewalk/Plaza Maintenance</b>			
Cleaning	X		
Concrete installation and replacement	X		
Surface removal and repair	X		
Landscape maintenance	X		
<b>Bridge and Structure Maintenance</b>			
Painting and paint removal	X		
Repair work	X		
Graffiti removal	X		
<b>Median/Road Embankment Maintenance</b>			
Erosion controls	X		
Slide and embankment repair	X		
Irrigation practices	X		
Vegetation controls	X		
Litter Control	X		
Spill Control	X		

## **I. STREET/ROAD/HIGHWAY SWEEPING AND CLEANING**

### **A. Sweeping Timing and Frequency**

1. Define the street sweeping program, and set priorities for sweeping frequency based on factors such as traffic volume, land use, proximity to watercourses, and field observations of material
2. Establish and maintain a consistent sweeping schedule (i.e., sweep streets on the same day of the week or month);
3. Sweep streets just prior to the beginning of the wet season (i.e., during September or October).
4. Establish and implement a record-keeping system to evaluate the effectiveness of the sweeping program.

### **B. Sweeping Equipment Operation and Selection**

1. Ensure that equipment operators are operating equipment according to manufacturer's recommendations.
  - a) Check that street cleaning equipment is in proper adjustment.
  - b) Operate street cleaning equipment at the speed specified by the manufacturer.
  - c) When using broom sweepers, check that the proper weights on main and gutter brooms are used.
2. Maintain equipment in good condition and purchase replacement equipment as needed.
3. When purchasing new sweepers, consider replacing old equipment with more advanced equipment (such as replacing some broom sweepers with regenerative air sweepers) or other new technologies that maximize pollutant removal.
4. Where possible, use the most efficient sweepers owned (or contracted) by the agency in areas expected to have the highest pollutant loads, such as industrial areas.

### **C. Other Measures To Improve Sweeping Efficiency**

1. One or more of the following measures will be used, where needed, to encourage voluntary relocation of vehicles parked in streets:
  - a) Develop and distribute newsletters and other public education materials notifying residents and businesses of street sweeping schedules;
  - b) Post temporary "no stopping, no parking" signs (for example in business districts, near large apartment complexes, etc.); and/or
  - c) Post permanent street sweeping signs.
2. In areas where large accumulations of leaves or yard waste occur, use one or more of the following methods as necessary to improve sweeping efficiency:
  - a) Utilize a leaf removal machine just prior to street cleaning;
  - b) Utilize a front end loader with a dump truck just prior to cleaning; and/or
  - c) Operate street cleaning equipment in tandem;
  - d) Encourage residents to collect and compost leaves and yard waste or coordinate



with a local composting program. If composting is infeasible, agencies should arrange for curbside pickup of collected leaves or yard waste. Coordinate leaf/yard waste pickup program with street sweeping program so that pickup immediately precedes sweeping.

3. Require operators to report trees or other obstructions interfering with street cleaning.
4. Do not sweep roads without curbs and gutters.

#### **D. Management of Material Removed by Sweeping**

1. Provide proper containment and placement for the temporary storage of material removed from streets to prevent discharges of pollutants to surface waters or groundwater. Do not store swept material near creeks or sensitive habitats.
2. When materials are saturated with water, dewatering shall be done in on the dewatering pad at the Municipal Operations Center. This pad drains to a treatment system and discharges to the sanitary sewer system.
3. Dry street sweeping materials shall be disposed of at the landfill.
4. Clean sweepers at the Municipal Operations Center. This pad drains to a treatment system and discharges to the sanitary sewer system.
5. Keep debris storage to a minimum during the wet season (or make sure debris piles are covered).

#### **E. Street Cleaning and Flushing**

1. Evaluate the need for wet cleaning or flushing of streets on a case-by-case basis and where possible, substitute dry methods.
2. Where absolutely necessary to use water to clean streets, collect the resulting washwater and dispose of it in the sanitary sewer. Collect the washwater using methods such as:
  - a) Plug catch basin outlets or cover storm drains before flushing, and pump out all collected washwater, or
  - b) Allow washwater to flow into the storm drain system and collect it downstream at a storm drain clean out or manhole.

## **II. STREET/ROAD/HIGHWAY REPAIR AND MAINTENANCE**

### **A. Asphalt/Concrete Removal**

1. Schedule asphalt and concrete removal activities for dry weather.
2. Take measures to protect any nearby storm drain inlets and adjacent watercourses, prior to breaking up asphalt or concrete (e.g., place sand bags around inlets or work areas).
3. After breaking up old pavement, sweep up materials thoroughly to avoid contact with rainfall

and storm water runoff. Recycle as much material as possible, and properly dispose of non-recyclable materials.

4. During saw-cutting and grinding operations, use as little water as possible. Block or place berms around nearby storm drain inlets, in drainage channel (if no inlet is nearby), or around work area (when bordering watercourse) using sand bags or an equivalent appropriate barrier, or absorbent materials such as pads, pillows and socks to contain slurry. If slurry enters the storm drain system, remove material immediately.
5. Remove saw-cut slurry (e.g., with a shovel or vacuum, or sweep up when dry) as soon as possible.

#### **B. Concrete Installation and Repair**

1. Avoid mixing excess amounts of fresh concrete or cement mortar on-site.
2. Store dry and wet materials under cover, protected from rainfall and runoff.
3. Wash out concrete transit mixers only in designated wash-out areas where the water will flow into drums or settling ponds or onto dirt or stockpiles of aggregate base or sand. Pump water from settling ponds to the sanitary sewer, where allowed. Whenever possible, recycle washout by pumping back into mixers for reuse. Never dispose of washout into the street, storm drains, drainage ditches, or creeks.
4. Whenever possible, return leftover materials in the mixer barrel to the yard for recycling. Dispose of small amounts of excess concrete, grout, and mortar in the trash.

#### **C. Patching, Resurfacing, and Surface Sealing**

1. Schedule patching, resurfacing and surface sealing for dry weather.
2. Stockpile materials away from streets, gutter areas, storm drain inlets or watercourses. During wet weather, cover stockpiles with plastic tarps or berm around them if necessary to prevent transport of materials in runoff.
3. Preheat, transfer or load hot bituminous material away from drainage systems or watercourses.
4. Cover and seal nearby storm drain inlets and manholes before applying seal coat, slurry seal, etc. Leave covers in place until job is complete and until all water from emulsified oil sealants has drained or evaporated. Clean any collected materials from these covered manholes and drains for proper disposal.
5. Prevent excess material from exposed aggregate concrete or similar treatments from entering streets or storm drain inlets. Designate an area for clean up and proper disposal of excess materials.
6. Use only as much water as necessary for dust control, to avoid runoff.
7. Sweep up as much material as possible and dispose of properly. Only wash down streets if runoff is controlled or contained.

8. Catch drips from paving equipment that is not in use with pans or absorbent material placed under the machines. Dispose of collected material and absorbents properly.
9. Make sure all shutoff valves on the equipment are working properly.
10. Follow spill control and cleanup measures listed in Section VII for any spills.
11. After the job is complete, remove stockpiles (asphalt materials, sand, etc.) as soon as possible.
12. If it rains unexpectedly, take appropriate action to prevent pollution of storm water runoff (e.g., divert runoff around work areas).

**D. Signing (Legends) and Striping**

1. Follow spill control and clean up measures in Section VII.
2. Contain and clean up waste materials and dispose of them properly according to the Material Safety Data Sheet.
3. Transfer and load paint and hot thermoplastic away from drainage systems or watercourses.
4. Sweep thermoplastic grindings into plastic bags. Yellow thermoplastic grindings may require special handling as they may contain lead.

**E. Traffic Detector Loop Installation and Repair**

1. Protect nearby storm drain inlets prior to cutting or flushing slot for traffic detector loops. Block or berm around nearby storm drain inlets using sand bags or an equivalent barrier, or use absorbent materials such as pads, pillows and socks to contain slurry.
2. Clean up residues by sweeping up as much material as possible, and dispose of material properly.

**F. Equipment Cleaning, Maintenance and Storage**

1. Inspect equipment daily and repair any leaks.
2. Perform major equipment repairs at the corporation yard, when practical.
3. If refueling or repairing vehicles and equipment must be done on-site, use a location away from storm drain inlets and creeks.
4. Recycle used motor oil, diesel oil, and other vehicle fluids and parts whenever possible.
5. Clean equipment including sprayers, sprayer paint supply lines, patch and paving equipment, and mudjacking equipment at the end of each day. Conduct cleaning at the city's Municipal Operations Center if possible. Use proper collection methods for the cleaning solution and recycle or dispose of waste materials at an approved hazardous waste facility.

## **SIDEWALK/PLAZA MAINTENANCE**

### **A. Cleaning**

1. Use dry methods (e.g., sweeping or vacuuming) whenever practical to clean sidewalks and plazas rather than hosing, pressure washing, or steam cleaning.
2. Clean up spills as specified in Section VII.
3. If water must be used to clean sidewalks or plazas, implement the BMPs in the Bay Area Stormwater Management Agencies Association's *Pollution From Surface Cleaning*, to reduce soap, oil and other pollutants in stormwater to the maximum extent practicable and eliminate illicit discharges (see Appendix A).

### **B. Concrete Installation and Repair**

Refer to Section II. B.

### **C. Surface Removal and Repair**

1. Schedule surface removal and repair activities for dry weather if possible.
2. Take measures to protect nearby storm drain inlets prior to breaking up asphalt or concrete (e.g., place hay bales or sand bags around inlets). Clean afterwards by sweeping up as much material as possible.
3. After breaking up old pavement, remove and recycle as much as possible to avoid contact with rainfall and storm water runoff.
4. During saw-cutting operations, block or berm around nearby storm drain inlets using sand bags or an equivalent barrier, or absorbent materials such as pads, pillows and socks to contain slurry if necessary. If slurry enters the storm drain system, remove material immediately.
5. Remove saw-cut slurry (e.g., with a shovel or vacuum, or sweep up when dry) as soon as possible.
6. Stockpile materials away from streets, gutter areas, storm drain inlets or creeks.
7. Prevent excess material washed from placement of exposed aggregate concrete or similar treatments from entering streets or storm drain inlets. Designate an area for clean up and proper disposal of excess materials.
8. Clean up all spills and leaks using "dry" methods (absorbent materials and/or rags). Properly dispose of absorbent materials and rags. If spills occur on dirt areas, dig up and remove contaminated soil promptly and properly.
9. After the job is complete, remove temporary stockpiles (asphalt materials, sand, etc.) and other materials as soon as possible.

10. If it rains unexpectedly, take appropriate action to prevent pollution of storm water runoff (e.g., divert runoff around work areas).

#### **D. Landscape Maintenance**

Refer to Section V *Median and Road Embankment Maintenance* for BMPs related to landscape maintenance: erosion controls, irrigation practices, vegetation controls, and use of pesticides and fertilizers.

### **IV. BRIDGE AND STRUCTURE MAINTENANCE**

1. **Painting and Paint Removal**
  - a) Transport paint and materials to and from job sites in containers with secure lids and tied down to the transport vehicle.
  - b) Do not transfer or load paint near storm drain inlets or watercourses.
  - c) Test and inspect spray equipment prior to starting to paint. Tighten all hoses and connections and do not overfill paint container.
  - d) Where there is significant risk of a spill reaching storm drains, plug nearby storm drain inlets prior to starting painting and remove plugs when job is completed.
  - e) Clean up spills immediately, using methods outlined in Section VII.
  - f) Capture all cleanup water, and dispose of properly.
  - g) If sand blasting is used to remove paint, cover nearby storm drain inlets prior to starting work. Use plywood, canvas, nylon netting, or similar material to contain abrasive and foreign materials and dust within work areas. Meter sand to use the least amount to do the job. Sweep and vacuum up sand and blast materials and recycle or dispose of materials properly.
  - h) If the bridge crosses a watercourse, perform work on a maintenance traveler or platform, or use suspended netting or traps to capture paint, rust, paint removing agents, or other materials, to prevent discharge of materials to surface waters. Dredging (with proper permits) may be necessary to recover solid materials that do fall into the watercourse.
2. **Repair Work**
  - a) Prevent concrete, steel, wood, metal parts, tools, or other work materials from entering storm drains or watercourses.
  - b) Thoroughly clean up the job site when the repair work is completed.
  - c) Refer to Section II, *Street/Road/Highway Repair and Maintenance*, for BMPs regarding maintenance and repair of a paved bridge deck.
3. **Graffiti Removal**
  - a) When graffiti is removed by painting over, implement the BMPs in Section IV.1., *Painting and Paint Removal*, above.
  - b) Protect nearby storm drain inlets (using tarps in work areas, sand bags, and/or booms or barriers around inlets) prior to removing graffiti from walls, signs, sidewalks, or other structures needing graffiti abatement. Clean up afterwards by sweeping or vacuuming thoroughly, and/or by using absorbent and properly disposing of the absorbent.
  - c) Prevent any discharge of debris, cleaning compound waste, paint waste, or washwater containing cleaning compounds to storm drains or watercourses.
  - d) Direct runoff from sand blasting and high pressure washing (with no cleaning agents)

into a landscaped or dirt area. If a landscaped area is not available, filter runoff through an appropriate filtering device (e.g., filter fabric) to keep sand, particles, and debris out of storm drains.

- e) If a graffiti abatement method generates washwater containing a cleaning compound (such as high pressure washing with a cleaning compound), plug nearby storm drains and vacuum/pump washwater to the sanitary sewer.
- f) Consider using a waterless chemical cleaning method for graffiti removal (e.g., gels or spray compounds).
- g) Avoid graffiti abatement activities during a rain storm. If rains occur during graffiti abatement activities unexpectedly, take appropriate action to minimize the impact on storm water quality (e.g., divert runoff around work areas).

## **V. MEDIAN AND ROAD EMBANKMENT MAINTENANCE**

### **A. Erosion Controls**

- 1. Maintain vegetative cover on medians and road embankments to prevent soil erosion, trap pollutants, and slow the rate of storm water runoff. Plant and/or retain native vegetation as much as possible. Adjust mowing heights to allow substantial stubble. Leave clippings in place or apply mulch as additional cover.
- 2. Avoid moving large quantities of earth, except where regrading is necessary to repair or reconfigure an embankment. Do not use disking as a means of vegetation management.
- 3. Inspect drainage facilities, including cross drains, on a regular basis to ensure that sufficient drainage is provided during storm periods, so that runoff is not diverted onto slopes in a way that causes erosion. Report and remediate any observed erosion problems as soon as possible.
- 4. Ensure that erosion control is provided for storm drain outfalls.

### **B. Slide and Embankment Repair**

- 1. Haul slide debris or removed material to an approved dump site as soon as practicable. Do not dump material into or near storm drain inlets, ditches, or watercourses.
- 2. Notify proper regulatory agencies (e.g., Santa Clara Valley Water District, California Department of Fish and Game, and Regional Water Quality Control Board) about material that has naturally fallen into a watercourse due to a substantial slide.
- 3. Use temporary erosion control measures, such as sediment basins, silt fences, hay bales, or blankets, if necessary to protect the slope until repairs have been completed. Revegetate denuded slopes as soon as practical to prevent future erosion.

### **C. Irrigation Practices**

- 1. Inspect irrigation systems regularly for broken water lines, sprinkler heads, and valves, and to ensure that only the necessary amount of water is applied and that runoff is not occurring.
- 2. Reduce runoff by careful manual control of water volume and spray or adjusting automatic

controls to minimize excess watering.

3. Repair any broken or leaking line, sprinkler head, or valve as soon as possible. Shut off the water source until repairs are made.
4. Prevent soil eroded as a result of a line break from entering the drainage system. After digging out a line, return all soil to the hole and compact properly.
5. When bailing out muddy water, do not pour it into the storm drain inlet or curb; pour it onto the landscape planting.

#### **D. Vegetation Controls**

##### 1. General Practices

- a) Check equipment for chemical, oil, or fuel leaks, and make necessary repairs before leaving for the job site. Fuel equipment only at corporation yards or service stations.
- b) If a leak or spill does occur, refer to Spill Control BMPs in Section VII.

##### 2. Manual and Mechanical Vegetation Removal

- a) Keep removed vegetation, including clippings, chips, and pruning debris, away from storm drain inlets and watercourses.
- b) When loading or chipping brush into a parked truck, do not leave leaves, twigs, chips, or other debris in the gutter or paved shoulder.
- c) When working on a slope, avoid loosening soil that could erode into drainage systems. Loosen only the amount of soil needed to remove the vegetation.
- d) Avoid loosening soil when rain is expected.

##### 3. Pesticide Usage and Pest Management

- a) Follow all federal, state, and local laws and regulations governing the use, storage, and disposal of pesticides and training of pest control advisors and applicators.
- b) Consider employing integrated pest management methods, including:
  - i) No controls;
  - ii) Physical/mechanical controls;
  - iii) Environmental controls (mulching, pest-resistant vegetation, prescribed burns);
  - iv) Biological controls (predators, parasites, etc.);
  - v) Less toxic chemical controls (e.g., soaps and oils); and/or
  - vi) Hot water.
- c) Use the least toxic pesticides (including herbicides) that will do the job, provided there is a choice. The agency will take into consideration the LD<sub>50</sub> overall risk to the applicator, and impact to the environment.
- d) Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging non-degraded pesticides in stormwater runoff. Avoid application of pesticides if rain is expected.
- e) Mix and apply only as much material as is necessary for treatment. Calibrate application equipment prior to and during use to ensure desired application rate.
- f) Do not mix or load pesticides in application equipment adjacent to a storm drain inlet, culvert or watercourse.
- g) Avoid use of copper-based pesticides if at all possible.
- h) Consider using biological controls or less toxic chemicals before using diazinon to manage a pest problem (known to cause toxicity in aquatic life).

4. Fertilizer Usage
  - a) Avoid application of fertilizer if rain is expected.
  - b) Consider applying municipally-generated compost in lieu of chemical fertilizers.
  - c) Prior to applying fertilizer, check the nitrogen/phosphorus/potassium (N/P/K) concentrations and calibrate the distributor to avoid excessive application.
  - d) Check irrigation equipment prior to applying fertilizer to make sure it is working properly, and monitor systems to avoid over-watering.
  - e) Confine fertilizer to the targeted area. If fertilizer is accidentally applied to paved surfaces, remove fertilizer from these areas before irrigating and/or rainfall occurs. If water is used to remove fertilizer, direct flow to landscaped areas. Do not allow wash water from paved areas to flow to storm drains.

## **VI. LITTER CONTROL**

1. Post "No Littering" signs where needed and enforce anti-littering laws.
2. Provide an adequate number of litter receptacles in commercial areas and other litter source areas.
3. Empty litter receptacles on a frequent enough basis to prevent spillage.
4. Encourage public education efforts to include an anti-littering message.

## **VII. SPILL CONTROL**

1. Store spill containment, cleanup materials, and the municipal agency's spill response plan on trucks and equipment.
2. Follow the municipal agency's spill response plan.
3. If you are instructed to clean up spilled materials, contain the spill and use "dry" methods to clean it up (e.g., scoops, rags, absorbents, or vacuuming). Do not hose down or bury spilled materials.
4. Collect spilled (nonhazardous) materials for reuse or recycling, where possible, and properly dispose of non-recyclable wastes and spent absorbents.
5. If spills occur on dirt areas, dig up and remove contaminated soil promptly and properly.



**Performance Standard and Supporting Documents for  
Public Streets, Roads, And Highways Operation And Maintenance**

**STANDARD OPERATING PROCEDURES**

This section presents the standard operating procedures (SOPs) that the City of Mountain View uses for implementation of the performance standard, and identifies the division(s) within the City that are responsible for their implementation.

**Performance Standard #1:**

- The City will implement best management practices (BMPs) for the street, road, and highway operation and maintenance (O&M) activities that it is responsible for conducting, in order to reduce pollutants in storm water to the maximum extent practicable and eliminate illicit discharges. Specific BMPs for each type of O&M activity will be those listed in the agency's Performance Standards document.

**Responsible Division:**

City of Mountain View Public Services Department, Streets and Landfill Closure Division  
City of Mountain View Community Services Department, Forestry and Roadway Landscape Division

**Standard Operating Procedures:**

The BMPs listed in this document are followed during implementation of the public streets, roads, and highways operation and maintenance activities.

The Streets and Landfill Closure Division performs street sweeping activities as well as street repair and maintenance activities. Streets are swept using regenerative air sweeping equipment. Sweeping activities are conducted along the entire street system which consists of 294 curb miles. Currently, arterial streets and commercial areas are swept twice monthly, residential streets are swept monthly, and the downtown Castro St. area is swept weekly. Public parking lots throughout the City are swept twice monthly by a street sweeping company under contract with the City. Records of City street sweeping activity accomplishments are kept using a computer database.

Street maintenance and repair activities include asphalt/concrete removal, concrete installation and replacement, patching, resurfacing, surface sealing, signing, striping, traffic detector loop installation/repair, equipment cleaning, equipment maintenance, and equipment storage. Some street maintenance and repair activities are performed by construction companies under a contract with the City

The Forestry and Roadway Landscape Division performs sidewalk/plaza maintenance, graffiti removal, and median/road embankment maintenance activities.

**Performance Standard #2:**

- The City will develop and implement a process for ensuring that any contractor that it employs to conduct street, road, and highway O&M activities uses the appropriate BMPs adopted by the agency.

Responsible Division:

City of Mountain View Public Services Department, Streets and Landfill Closure Division  
City of Mountain View Community Services Department, Forestry and Roadway Landscape Division

Standard Operating Procedures:

The process for ensuring that contractors use appropriate BMPs during street, road, and highway O&M activities will be to include BMP implementation as a contract requirement. Job site inspections may also be used to ensure that BMPs are in place.

**Performance Standard #3:**

- The City will provide training on an annual basis to its municipal staff in the use of appropriate BMPs. The City will also provide a mechanism for obtaining feedback from its municipal staff on the implementation and effectiveness of the BMPs.

Responsible Division:

City of Mountain View Fire Department, Environmental Safety Division

Standard Operating Procedures:

The Environmental Safety Division provides annual training on the use of appropriate BMPs to municipal staff, including Streets and Landfill personnel and Forestry and Roadway Landscape personnel. During the training sessions, municipal staff are encouraged to provide feedback regarding the implementation and effectiveness of the BMPs either during the training session or any time throughout the year. Feedback is also obtained through informal visits to job sites by inspectors to discuss BMPs, and to look for ways to improve BMP effectiveness.

**Performance Standard #4**

- The City will inform other parties conducting street, road, and highway O&M activities within the municipal agency's jurisdiction that they are expected to implement BMPs to reduce pollutants in storm water to the maximum extent practicable and eliminate illicit discharges.

Responsible Division:

City of Mountain View Fire Department, Environmental Safety Division  
City of Mountain View Public Services Department, Streets and Landfill Closure Division  
City of Mountain View Community Services Department, Forestry and Roadway Landscape Division

Standard Operating Procedures:

Outside parties conducting public streets, roads, and highways operation and maintenance activities in the City of Mountain View will be informed of the expectation to implement the BMPs as the responsible City divisions become aware of outside parties conducting these activities.

**Performance Standard #5:**

- As part of the annual reporting process, the City will review and evaluate the effectiveness of its BMPs in achieving the goals of reducing pollutants in storm water to the maximum extent practicable and eliminating illicit discharges. The review and evaluation will include input from municipal maintenance staff that implement the BMPs.

**Responsible Division:**

City of Mountain View Fire Department, Environmental Safety Division  
City of Mountain View Public Services Department, Streets and Landfill Closure Division  
City of Mountain View Community Services Department, Forestry and Roadway Landscape Division

**Standard Operating Procedures:**

The annual reports for storm drain system O&M activities will be completed by the Environmental Safety Division. Review and evaluation of BMP effectiveness will include input from the Streets and Landfill Closure Division, and the Forestry and Roadway Landscape Division.

**Performance Standard and Supporting Documents for the  
Public Streets, Road, and Highways Operation And Maintenance**

**CITY OF MOUNTAIN VIEW ANNUAL REPORT FORM**

The form listed below will be submitted as the City's Annual Report. The Annual Report will identify whether the City of Mountain View has complied with the Public Streets, Roads, and Highways Operation and Maintenance performance standards during the previous year. Additional supporting documentation will be maintained at City offices and made available for public review.

1. Is the City implementing best management practices (BMPs) for the street, road, and highway operation and maintenance (O&M) activities that you are responsible for conducting, in order to reduce pollutants in storm water to the maximum extent practicable and eliminate illicit discharges?  
Yes    No    If yes, describe any changes in your BMPs during the past year.  
If no, explain:
2. Has the City developed and implemented a process for ensuring that any contractors it employs to conduct street, road, and highway O&M activities use the appropriate BMPs adopted by the City?  
Yes    No    If yes, describe any changes in your BMPs during the past year.  
If no, explain:
3. Has the City provided training on an annual basis to its municipal staff in the use of appropriate BMPs?  
Yes    No    If yes, describe the training provided during the past year.  
If no, explain:
4. Has the City informed other parties conducting street, road, and highway O&M activities within its jurisdiction that they are expected to implement BMPs to reduce pollutants in storm water to the maximum extent practicable and eliminate illicit discharges?  
Yes    No    If no, explain:
5. Has the City reviewed and evaluated the effectiveness of its BMPs in achieving the goals of reducing pollutants in storm water to the maximum extent practicable and eliminating illicit discharges?  
Yes    No    If yes, include the effectiveness evaluation in the Annual Report.  
If no, explain:

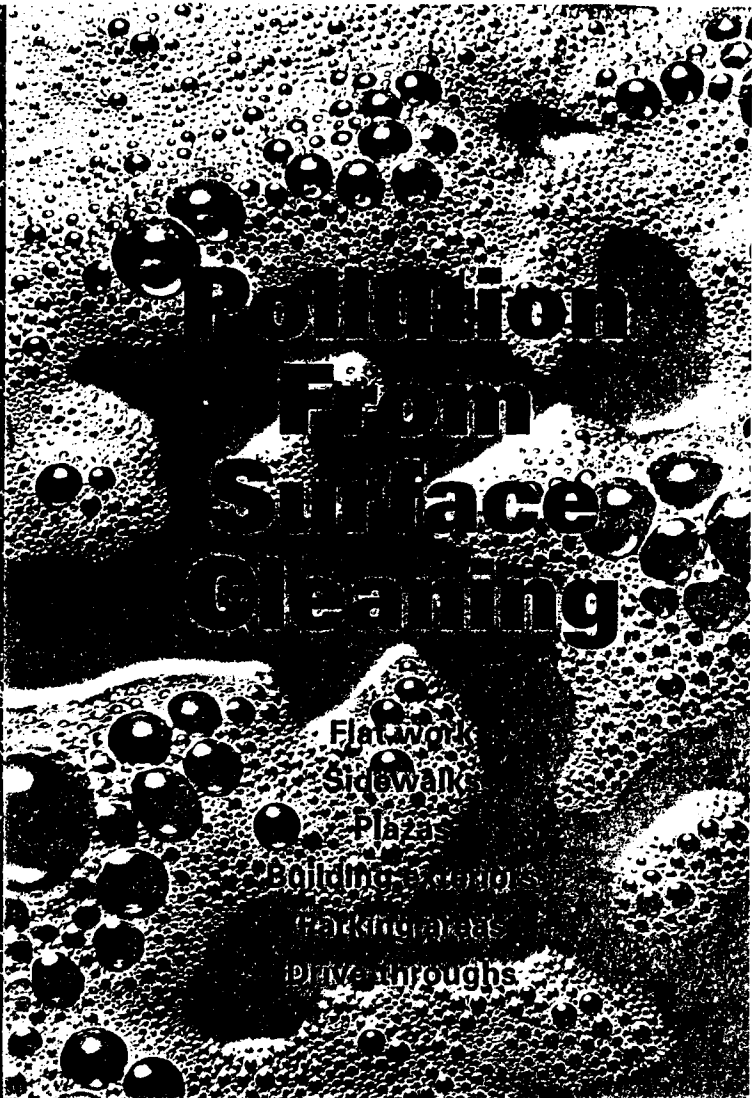
Did this review include input from municipal maintenance staff that implement the BMPs?  
Yes    No    If no, explain:

# APPENDICES

*City of Mountain View  
September, 1997*

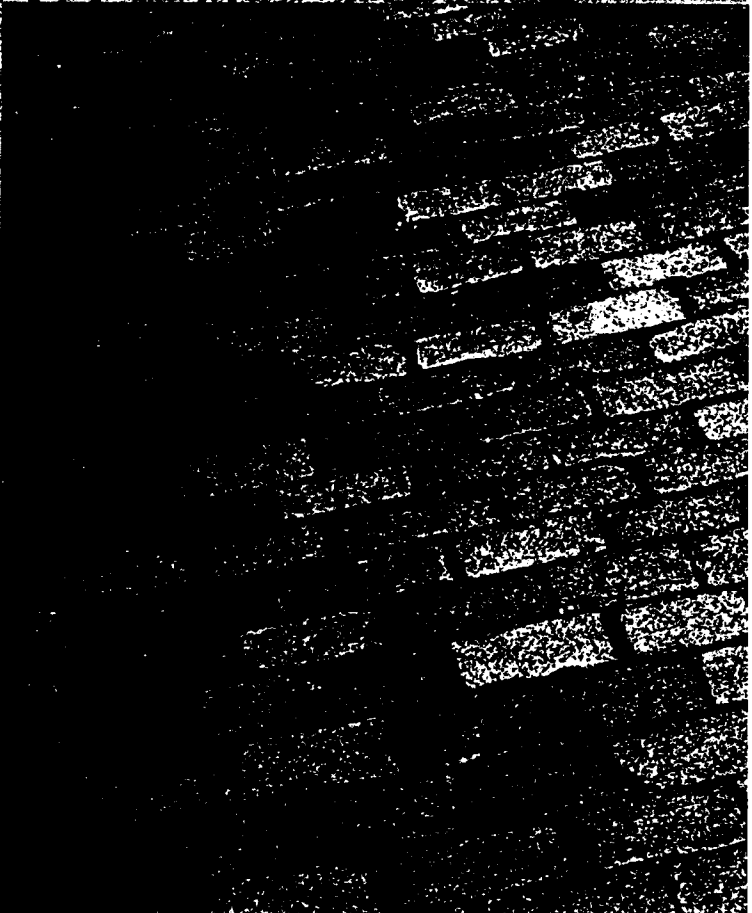
*Public Streets, Roads & Highways O&M  
Performance Standard*

**Bay Area Stormwater Management Agencies Associations's  
*Pollution from Surface Cleaning BMPs***



# Pollution From Surfaces Cleaning

- Flatwork
- Sidewalks
- Plaza
- Building exterior
- Parking areas
- Drive throughs



# Pollution From Surface Cleaning

**It harms the environment . . .**

**In most parts of the San Francisco Bay Area, storm drains are pathways for pollution, traveling directly from streets, gutters, and other paved surfaces to local creeks or the Bay, Ocean or Delta. Wash water from surface cleaning activities often carries pollutants that can harm the numerous wildlife species that depend on healthy waterways for their survival.**

**. . . And it's against the law!**

**Allowing polluting substances into storm drains is prohibited in California. Both the person who discharges the pollutant or leaves it behind, and the owner of the property where the material is generated are liable.**

**This folder provides guidance for mobile cleaners to prevent pollution when cleaning flat surfaces such as sidewalks, plazas, building exteriors, parking areas, and drive-throughs.**

**This guidance is not specifically intended to be appropriate for other mobile cleaning jobs such as fleet washing and detailing, carpet cleaning, or cleaning of food-related equipment.**

**Where do these pollutants come from?**

In general, three phases of the cleaning process can cause problems for the environment:

- **Using harmful cleaning chemicals—including soaps as well as solvents**
- **Removing toxic materials such as oil, antifreeze, and grease from parking lots, sidewalks, or other surfaces**
- **Generating polluted wash water from activities such as wet sand blasting of buildings to remove paint**

**What sorts of hazardous waste can surface cleaning generate?**

- **Oil-saturated absorbents (but not oil-saturated rags, which can be cleaned at an industrial laundry)**
- **Wash water that contains lead paint chips**
- **Solvent cleaners**



# So Where Should Wash Water Go?



## Onto landscaping or unpaved surface

Wash water from cleaning unpainted building exteriors, sidewalks, or plazas, if:

- Discharge does not contain hazardous waste

AND

- Discharge will not cause flooding or nuisance problems, or flow to a creek

AND

- You have the owner's permission



## Down a sink, toilet, or cleanout — through the sewer to a

### wastewater treatment plant

Wash water from surface cleaning of painted building exteriors, sidewalks, plazas, parking areas, drive-throughs, food service facility dumpster/grease containment areas, etc., if:

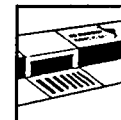
- You have used dry cleanup methods before washing with or without soap

AND

- Discharge does not contain hazardous waste

AND

- (For parking lots, traffic areas, food service facility dumpster/grease containment areas) You or the property owner have checked the local wastewater treatment plant's requirements before discharging to the sewer



## To the street or storm drain

Wash water from cleaning sidewalks, plazas, and building exteriors, if:

- You have *successfully* used dry cleanup methods (described in the "tips" section of this folder to remove fresh oil stains, debris, and similar pollutants—before using water

AND

- Cleaning is done with water only—no soap or other cleaning chemicals

AND

- Water has not removed paint

# Tips on proper cleaning and disposal methods

## Avoid using soap!

- Even biodegradable soap is harmful to the environment. Before you use soap, test to see whether hot water under pressure will do the job.

## Dry cleanup methods

- In many cases you can eliminate the need to collect and/or divert wash water if you follow this two-step process:
  1. Use absorbents (such as rags, absorbent mats or pads, rice hull ash, cat litter, vermiculite, or sand) to pick up greasy or oily spills.
  2. Sweep or vacuum to pick up litter, debris, or saturated absorbents
- Waste materials from dry cleanup such as absorbents, paint chips, etc. may often be disposed of in the trash. Check with the local solid waste authority to be sure. Rags may be sent to an industrial laundry.

## Screening wash water

- When cleaning surfaces such as buildings and decks without loose paint, sidewalks, or plazas *without soap*, thorough dry cleanup should be sufficient to protect storm drains. However if any debris could enter storm drains or remain in the gutter or street after cleaning, wash water should first pass through a "20 mesh" or finer screen to catch the material, which should be disposed of in the trash.

## Collecting wash water

- A simple and acceptable method for collecting wash water on private property requires only a drain plug, small sump pump, and a length of hose. If a small parking-lot-type catch basin is available, remove the grate, plug the drain pipe (usually 2, 3, or 4 inches in diameter), and place the pump in the catch basin, attached to a garden hose. As wash water drains to this lowest spot, pump to landscaping, a sewer line cleanout, or a container for later disposal to the sewer.
- Vacuum booms are another option for capturing and collecting wash water.

## Directing wash water to landscaping

- When routing wash water to landscaping, check the slope and area to be sure to avoid runoff into a street or gutter. If the soil is very dry, wet it down thoroughly before discharging so that wash water will soak into the soil instead of running off to the street, gutter, or storm drain.

## Blocking storm drains or containing wash water

- Sand bags can be used to create a barrier around storm drains.
- Plugs or rubber mats can be used to seal storm drain openings.
- You can also use vacuum booms, containment pads, or temporary berms to keep wash water away from the street, gutter, or storm drain.

## Hazardous waste disposal

- Be sure to read cleaning product labels before disposing of wash water. Follow use and disposal instructions carefully.
- Check with the city or county environmental health department to find out how small businesses can dispose of hazardous waste at a drop-off event (instead of hiring a hazardous waste hauler). In general, you must generate less than 27 gallons or 220 pounds of a particular type of waste each month to qualify to use these "Conditionally Exempt Small Quantity Generator" (CESQG) programs.

## Equipment and supplies

- Special materials such as sheets of absorbent, storm drain plugs and seals, small sump pumps, and vacuum booms are available from many vendors. For more information check catalogs such as Pigalag (800-468-4647), Lab Safety Supply (800-356-0783), C&H (800-558-9966), and W.W. Grainger (408-433-9889), or call the Cleaning Equipment Trade Association (800-433-9889) or the Power Washers of North America (202-393-7044).

**Remember, sending water that contains soap or any other type of pollution to a storm drain or water body violates state and/or local regulations!**

# Cleaning and Disposal

Type of Surface	Cleaning Method	Proper Disposal
Sidewalks, plazas	Dry cleanup* first, wash <b>without soap</b>	Screen wash water,* if needed, to catch debris THEN Discharge to landscaping,* or to a gutter, street, or storm drain
Sidewalks, plazas	Block the storm drain or contain runoff* Dry cleanup,* then wash <b>with soap*</b>	Discharge to landscaping* OR Collect water and pump to the sewer*
Parking areas, driveways, drive-throughs	1. Block the storm drain or contain runoff* 2. Use absorbents to pick up oil; then dry sweep 3. Clean with or without soap	Collect water and pump to the sewer* <i>Check the local wastewater authority's requirements for discharge</i>
Restaurant/food handling dumpster areas, grease storage	Block the storm drain or contain runoff* Dry cleanup	If you must use water after sweeping/using absorbents, collect water and pump to the sewer* <i>Check the local wastewater authority's requirements for discharge</i>
Building surfaces, decks, etc., without loose paint	Use high-pressure water, no soap	Screen wash water,* if needed, to catch debris THEN Discharge to landscaping,* or to a gutter, street, or storm drain
Unpainted building surfaces, wood decks, etc.	Block the storm drain or contain runoff* Use soap or acid wash to remove deposits, wood restorer, or other chemicals	Make sure pH is between 6 and 10 THEN Discharge to landscaping* OR Collect wash water in a tank* and pump to the sewer <i>Check the local wastewater authority's requirements for discharge</i>
Painted surfaces being cleaned to remove paint or graffiti	Block the storm drain or contain runoff* Use any cleaning method	Collect wash water in a tank and pump to the sewer, or dispose as hazardous waste, as appropriate* <i>Call the local wastewater authority or the state Department of Toxic Substances Control (510-540-3732) for help in determining whether the paint contains toxic pollutants such as lead, mercury, or tri-butyl tin; or if the solvent cleaners you use are hazardous</i>
Graffiti removal	Block the storm drain or contain runoff* Wet sand-blast	Direct all runoff to a landscaped or unpaved area* OR Follow instructions above for painted surfaces

\* See this section for ideas on how to do this!

*City of Mountain View  
September, 1997*

*Public Streets, Roads & Highways O&M  
Performance Standard*

**Bay Area Air Quality Management District Requirements for  
Sand Blasting Operations**

**REGULATION 12**  
**MISCELLANEOUS STANDARDS OF PERFORMANCE**

**RULE 4**  
**SANDBLASTING**

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## REGULATION 12

### MISCELLANEOUS STANDARDS OF PERFORMANCE

#### RULE 4

#### SANDBLASTING

##### 12-4-100 GENERAL

**12-4-101 Description:** The standards in this Rule are uniform throughout the State and apply to sandblasting operations other than permanent abrasive blasting operations or equipment. Visible emissions from permanent operations or equipment are controlled by Regulation 6.

**12-4-102 Multiple Nozzles:** Emissions from unconfined blasting employing multiple nozzles shall be judged as a single source unless it can be demonstrated by the owner or operator that each nozzle, evaluated separately, meets the emission and performance standards provided for in this Rule.

##### 12-4-200 DEFINITIONS

**12-4-201 Abrasives:** Any material used in abrasive blasting operations including but not limited to sand, slag, steel shot, garnet or walnut shells.

**12-4-202 Abrasive Blasting:** The operations of cleaning or preparing a surface by forcibly propelling a stream of abrasive material against the surface.

**12-4-203 Abrasive Blasting Equipment:** Any equipment utilized in abrasive blasting operations.

**12-4-204 Confined Blasting:** Any abrasive blasting conducted in an enclosure which significantly restricts air contaminants from being emitted to the ambient atmosphere, including but not limited to shrouding, tanks, drydocks, buildings and structures.

**12-4-205 Hydroblasting:** Any abrasive blasting using high pressure liquid as the propelling force.

**12-4-206 Multiple Nozzles:** More than one nozzle being used to abrasive blast the same surface in such close proximity that their separate plumes are indistinguishable.

**12-4-207 Permanent Abrasive Blasting Operations or Equipment:** Abrasive blasting operations conducted, or abrasive blasting equipment located in a building which is used in whole or in part for abrasive blasting operations.

**12-4-208 Sandblasting:** Abrasive blasting.

**12-4-209 Source:** The impact surface from any single abrasive blasting nozzle.

**12-4-210 Unconfined Blasting:** Any abrasive blasting which does not conform with Sections 12-4-204 and 207.

**12-4-211 Vacuum Blasting:** Any abrasive blasting in which the spent abrasive and surface material is immediately collected by a vacuum device.

**12-4-212 Wet Abrasive Blasting:** Any abrasive blasting using compressed air as the propelling force, which in the judgement of the APCO uses an amount of water adequate to minimize the plume.

**12-4-213 Brushoff Blasting:** A method of cleanup performed in order to achieve surface uniformity or impurity removal after wet blasting, hydroblasting, or vacuum blasting operations.

(Adopted July 11, 1990)

- 12-4-214 Steel or Iron Shot/grit:** Abrasives which meet either the Society of Automotive Engineers (SAE) recommended practices J827 and J444 or Steel Founders' Society of America Standards 21-68 or 20T-66, as those practices and standards existed on February 24, 1984. (Adopted July 11, 1990)
- 12-4-300 STANDARDS**
- 12-4-301 Ringelmann 1 Limitations:** Except as provided in Section 12-4-302 a person shall not discharge from any abrasive blasting, any air contaminant for a period or periods aggregating more than three minutes in any one hour which is as dark or darker than No. 1 on the Ringelmann Chart. This section will apply if the applicable standards in sections 12-4-303 through 309 are not met. (Amended July 11, 1990)
- 12-4-302 Ringelmann 2 Limitations:** A person shall not discharge from any abrasive blasting, if he complies with applicable standards in Section 12-4-303 and Sections 12-4-305 through 307, any air contaminant for a period or periods aggregating more than three minutes in any one hour which is as dark or darker than No. 2 on the Ringelmann Chart.
- 12-4-303 Performance Standards For Abrasive Blasting For Traffic Markers:** Surface preparation for raised traffic delineating markers and pavement marking removal using abrasive blasting shall comply with at least one of the following performance standards:
- 303.1 Wet abrasive blasting, hydroblasting or vacuum blasting shall be used.
- 303.2 Dry unconfined abrasive blasting for removal or surface preparation for immediate application of pavement markings of less than 93 m<sup>2</sup> (1,000 ft.<sup>2</sup>), or for surface preparation for raised traffic delineating markers shall use abrasives as defined in Sections 12-4-305 through 307.
- 12-4-304 Performance Standards For Other Abrasive Blasting:** Any abrasive blasting operation except as provided for in Section 12-4-303 and 305 through 309 shall comply with at least one of the following performance standards.
- 304.1 Confined blasting shall be used.
- 304.2 Wet abrasive blasting shall be used.
- 304.3 Hydroblasting shall be used.
- 304.4 Dry unconfined blasting shall use abrasives as defined in Sections 12-4-305 through 307. (Amended July 11, 1990)
- 12-4-305 Performance Standards For Abrasives:** All abrasives used for dry unconfined blasting shall comply with the following performance standards:
- 305.1 Before blasting, the abrasive shall not contain more than 1% by weight material passing a #70 U.S. Standard sieve when tested in accordance with "Method of Test for Abrasive Media Evaluation," Test Method No. California 371-A. Certified abrasives re-used for dry unconfined blasting must conform with Section 12-4-305.1.
- 305.2 After blasting, the abrasive shall not contain more than 1.8% by weight material five micron or smaller when tested in accordance with "Method of Test for Abrasive Media Evaluation", Test Method No. California 371-A. Certified abrasives re-used for dry unconfined blasting are exempt from Section 12-4-305.2
- 12-4-306 Certification of Abrasives:** A person shall not conduct dry unconfined blasting unless the abrasive(s) used in such operation have been certified by the ARB, on at least an annual basis, to comply with the performance standards set forth in Section 12-4-305. Any person who desires certification of an abrasive shall furnish to the ARB an adequate test sample, together with fees to defray the cost of testing. The ARB maintains an up-to-date list of certified abrasives.

- 12-4-307 Abrasive Labeling by Suppliers:** All manufacturers and suppliers of abrasives certified for dry unconfined abrasive blasting shall legibly and permanently label the invoice, bill of lading and abrasive packaging or container with the following statement: "ARB certified for dry unconfined blasting."
- 12-4-308 Facility Blasting Operations:** Confined blasting shall be used for all abrasive blasting operations at a facility except under the following conditions:
- 308.1 When steel or iron shot/grit is used;
  - 308.2 When the item to be blasted exceeds 8 feet in height, 8 feet in width, or 10 feet in length;
  - 308.3 When the structure or surface is blasted at its permanent or ordinary location.  
(Adopted July 11, 1990)
- 12-4-309 Stucco and Concrete:** Abrasive blasting of stucco and concrete shall be performed by wet blasting, hydroblasting, or vacuum blasting with the following exceptions, for which dry blasting may be used:
- 309.1 Window and door returns and frames;
  - 309.2 Eaves, overhangs and ceilings;
  - 309.3 Brush off blasting except for stucco surfaces;
  - 309.4 Completely shrouded structures and blast areas that effectively control emissions;
  - 309.5 Abrasive cleaning operations other than aggregate exposure or paint removal related to new concrete construction or repair activity if such operations are performed onsite.  
(Adopted July 11, 1990)
- 12-4-600 MANUAL OF PROCEDURES**
- 12-4-601** The MOP contains procedures for appraising visible emissions.  
(Adopted July 11, 1990)



# **CITY OF MOUNTAIN VIEW**

## **RURAL PUBLIC WORKS MAINTENANCE PERFORMANCE STANDARD**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004  
TO: URMP File  
FROM: Eric Anderson, Urban Runoff Coordinator  
SUBJECT: **Rural Public Works Maintenance Performance Standard**

The Purpose of this memo is to document the addition of the model Rural Public Works Maintenance Performance Standard into the City of Mountain View's Urban Runoff Management Plan.

## **Performance Standard and Supporting Documents for Rural Public Works Maintenance and Support Activities (December 19, 2002<sup>1</sup>)**

### **I. Introduction**

The goal of the Rural Public Works Performance Standard is to minimize the water quality impacts resulting from public works maintenance and support activities in rural areas. This performance standard is intended to aid Co-permittees in ensuring that required control measures are implemented while performing maintenance activities adjacent to streams to prevent the degradation of stream functions. Santa Clara County contains habitat for the threatened Central California Coast Steelhead. Maintenance Activities in watersheds that support steelhead habitat are subject to Limit No. 10, Routine Road Maintenance, of the Endangered Species Act (ESA) Section 4(d) Rules to Protect Threatened Salmon and Steelhead, signed on June 20, 2000. This limit finds routine road maintenance activities must “not impair properly functioning habitat, appreciably reduce the functioning of already impaired habitat, or retard the long-term progress of impaired habitat toward [a properly functioning condition] (PFC)”<sup>23</sup> This Performance Standard is consistent with the goal of Limit No. 10.

The Rural Public Works Performance Standard defines the level of implementation that each Co-permittee in the Santa Clara Valley Urban Runoff Pollution Prevention Program will attain to demonstrate that water quality is protected to the maximum extent practicable.

The City of Mountain View does not maintain rural roads, but may have projects in or along streambeds.

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<sup>1</sup> Approved by the SCVURPPP Management Committee at its December 19, 2002 meeting.

<sup>2</sup> *A Citizen's Guide to the 4(d) Rule for Threatened Salmon Steelhead on the West Coast*, National Marine Fisheries Service Northwest and Southwest Regions, June 20, 2000.

<sup>3</sup> NMFS is not requiring states, local governments or private parties to change their practices to conform to any of the take limits described in the final rule. The limits provide one way to be sure an activity or program does not risk violating the take prohibitions. Simply because a program is not within a limit does not mean that it automatically violates the ESA or the 4(d) rule. However, it does mean that any program or jurisdiction would risk ESA penalties if the activity in question takes a listed fish. By receiving a limit, governments and individuals receive assurance that their activities do not violate the take prohibitions and will not be subject to enforcement. (NMFS, June 20, 2000).

## SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM

### **Performance Standard and Supporting Documents for Rural Public Works Maintenance and Support Activities**

#### PERFORMANCE STANDARD

- 1) The City of Mountain View will implement and require contractors to implement appropriate best management practices (BMPs) when performing maintenance activities in or adjacent to a stream channel unless required to do otherwise by emergency flood control procedures. During emergency flood control activities, water quality will be protected to the maximum extent practicable
- 2) The City of Mountain View will plan for proper erosion prevention and sediment control measures in designing rural roads.
- 3) During construction, the City of Mountain View will inspect the construction site, and maintain construction erosion prevention and sediment control BMPs to ensure that they are working properly and that problems are corrected as soon as they develop.
- 4) Maintenance staff will properly store, use, and dispose of materials, chemicals and wastes during and after the performance of activities. Mechanical equipment will be stored and operated properly as well.
- 5) The City of Mountain View will provide annual training and technical assistance to maintenance staff in the use of appropriate BMPs.
- 6) The City of Mountain View will obtain the correct permits for maintenance activities taking place in or adjacent to stream channels. The "correct permits" are defined on page 14 herein.
- 7) The City of Mountain View will provide outreach materials to contractors, developers, and staff on Rural Public Works Maintenance and Support Activities BMPs and permitting requirements.
- 8) The City of Mountain View will evaluate and report on the implementation of the rural public works performance standards as part of the individual Co-permittee annual reports. Annual reporting and inspections are not required under the following special cases: levees that are inspected frequently under another program (i.e. SCVWD levees inspected for flood protection and control) and levees where captured runoff would be under another NPDES permit (i.e. City of Sunnyvale treatment pond levees).

## SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM

### Performance Standard and Supporting Documents for Rural Public Works Maintenance and Support Activities

#### DEFINITIONS

- Berm** An elevated area constructed of asphalt materials, base rock, soils, sandbags or other materials to divert runoff. Typically located along roadway shoulders.
- Brush** Vegetative material smaller in length/diameter than large woody debris. May consist of cuttings of native vegetation intended for use in slope stabilization BMPs such as brushlayering, brushpacking, willow wattles, etc.
- Cut and Plug** The practice of cutting woody debris in streams that may become lodged in downstream obstructions into small pieces and/or short lengths. (culverts, log jams, etc.)
- Emergency** An emergency consists of circumstances creating a substantial risk of loss, damage, interruption of essential services, or threat to public health or safety that could not have been reasonably foreseen. "Emergency" includes any man-made or natural event or circumstances causing or threatening loss of life, injury to person or property, including but not limited to fire, explosion, flood, severe weather, earthquake, volcanic activity, spills or releases of oil or hazardous material, contamination, actual or imminent loss of transportation facilities, civil disturbance, riot, sabotage and war.
- The distinction must be made as to when the emergency is over and cleanup begins. An emergency ends when threats of loss of life or injury are mitigated and pre-emergency service is restored. Examples of emergency operations include, but are not limited to, modification of large woody debris/log jams in streams, streambank/slope stabilization, flood response and emergency road opening measures.
- Habitat** An area used by a species for migration, breeding, spawning, foraging, shelter, etc. May refer to generic types of habitat, such as riparian (near water bodies), upland (above riparian habitat), etc.
- Diversion Potential** Occurs at a stream crossing having one approach that slopes away from the stream bed so as to potentially divert flow reaching the road surface away from the channel.

<b>Large Woody Debris</b>	Large pieces of woody material 6 inches and larger in diameter and at least 10 feet long. Also includes root wads and stumps. Typically refers to woody debris in water bodies.
<b>Revegetation</b>	The placement, planting and/or fostering of growth of beneficial plant species.
<b>Rural Road</b>	<p>A public paved or unpaved road that is:</p> <ol style="list-style-type: none"><li>in an area having average lot sizes of 1 acre net or greater or zoned as open space under Co-permittee jurisdiction; and</li><li>not served by an integrated municipal storm drain system;</li><li>not served by curbs and gutters; and</li><li>intended to be passable to a maintenance vehicle.</li></ol> <p>This definition does not include hiking and equestrian trails, unless they are intended to be passable to a maintenance vehicle.</p>
<b>Sensitive Area</b>	<p>Any area in which plant or animal life or their habitats are rare or especially valuable, including any area in the following categories:</p> <ol style="list-style-type: none"><li>habitats containing or supporting “rare and endangered” species as defined by the State Fish and Game Commission as well as “threatened and endangered” species and their associated critical habitat, as defined under the Federal Endangered Species Act;</li><li>perennial and intermittent streams and their tributaries that support aquatic habitat;</li><li>lakes, ponds and adjacent shore habitat;</li><li>wetlands, marshes and coastal tide lands;</li><li>coastal and offshore areas containing breeding or nesting sites or used by migratory and resident water –associated birds for resting areas and feeding;</li><li>areas used for scientific study and research concerning fish and wildlife;</li><li>existing game and wildlife refuges and reserves; and</li><li>sand dunes and sea cliffs.</li></ol>
<b>Sidecast</b>	Material placed on or within the banks of any water body; the practice of placing material on or within the banks of any water body.
<b>Slipout</b>	A shallow slope failure, typically involving the shoulder of a road or trail. May be caused by high groundwater, falling trees (windthrow), etc.
<b>Washout</b>	A slope or bank failure, typically involving the shoulder of a road or trail. May be caused by high flows in streams, concentrated runoff, etc.
<b>Watercourse Bank</b>	The slope of land that adjoins a watercourse, the top of which shall be the topographic line roughly parallel to the watercourse center line where the side slopes intersect the plane of the ground adjacent to that

traversed by the watercourse. Where banks do not distinguishably end, the surrounding land being extensions of the banks, the top of such banks shall be determined by the Santa Clara Valley Water District Community Project Review Unit, Unit Manager.

## **Performance Standard and Supporting Documents for Rural Public Works Maintenance and Support Activities**

### Attachment 1 WORK PLAN IMPLEMENTATION

The activities conducted by the City of Mountain View to achieve the performance standard are outlined in the City's Work Plan for Rural Public Works Operation and Maintenance. The work plan includes an implementation schedule. The City's compliance efforts outlined in the work plan are summarized in each year's Annual Report. See the City's Work Plan for detailed information on the City's activities.



## Performance Standard and Supporting Documents for Rural Public Works Maintenance and Support Activities

### Attachment 2 LEGAL AUTHORITY TO IMPLEMENT

The references listed below demonstrate the City of Mountain View's legal authority to require contractors to conduct O&M activities in a manner that eliminates or reduces water quality impacts. These include:

- Mountain View City Code, Chapter 35
- Public Works Department's Standard Provisions
- Standard Operating Procedures (see Attachment 4)
- Contract language (model language below will be considered).

#### **Model Standard Contract Language<sup>4</sup>**

Storm water runoff flows directly to creeks and San Francisco Bay without treatment. Allowing pollutants (including sediment) to directly or indirectly enter the storm drain system is prohibited by federal, state and local regulations. The operation and maintenance of public streets, roads, and highways can cause storm water pollution in numerous ways. For example, storm water pollution can be caused by wastes from street or equipment cleaning, by improper storage of products or wastes, or inadequate clean up of left-over or spilled products or wastes. These pollutants can either enter storm drains directly or be transported by storm water runoff.

The Contractor shall take all measures necessary to prevent pollutants (including sediment) from entering storm drains or watercourses. For the purpose of eliminating storm water pollution, the contractor shall implement effective Best Management Practices (BMPs). BMPs include general good housekeeping practices, appropriate scheduling of activities, operational practices, maintenance procedures and other measures to prevent the discharge of pollutants directly or indirectly to the storm drain system. These BMPs shall be maintained for the duration of the Contractor's work. The Contractor shall also be responsible for proper disposal of all waste materials, including wastes generated by the implementation of BMPs.

The following BMPs shall be implemented to prevent storm water pollution: (add appropriate BMPs from Section 3 here).

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<sup>4</sup> Based on language in *Modifications to the Standard Specifications for Public Works Construction*, 1994, City of Oakland, *Pollution Prevention Language for Construction Contractors*, 1995, City of Palo Alto, and *Supplemental General Provisions*, 1994, City of Sunnyvale.

## **Performance Standard and Supporting Documents for Rural Public Works Maintenance and Support Activities**

### **Attachment 3 WORK PLAN BMPS AND CONTROL MEASURES**

This section contains the list of Model Best Management Practices to be used as guidance for compliance in the implementation of the performance standard. Each Co-permittee will adopt specific BMPs applicable to their agencies in order to implement the Performance Standards. For consistency, each co-permittee should maintain the entire list of Model BMPs. Co-permittees may agree to implement the Model BMPs or propose modifications or alternatives to those that apply as long as justification of why the modifications are effective in reducing pollutants in storm water to the maximum extent practicable and in eliminating illicit discharges is provided. If a group of BMPs does not apply, Co-permittees should provide an explanation as to why they are not applicable under their jurisdiction. This will be documented in the Co-permittees URMP.

Some of the BMPs in this document can also be found in the previously adopted Santa Clara Valley Urban Runoff Pollution Prevention Program's Model BMPs for Public Streets, Roads and Highway Operation and Maintenance. Those portions of Sections II. Street/Road/Highway Repair and Maintenance and V. Median and Road Embankment Maintenance, of the Public Streets, Roads, and Highways Operation and Maintenance Model BMPs that address the prevention of road-related erosion are restated in this document. In addition, the report entitled "Effects of County Land Use Policies and Management Practices on Anadromous Salmonids and their Habitats" prepared for the FishNet 4C Program was reviewed in development of the BMPs contained within, in order to include BMPs considered effective for protection of fish habitat. For further information and guidance on the implementation of the BMPs recommended, co-permittees should consult the references listed below.

#### **References for Model BMPs**

California Regional Water Quality Control Board San Francisco Bay Region, 1999. *Erosion and Sediment Control Field Manual, Third Edition.*

Camp Dresser and McKee, December 2000. *Alameda Countywide Clean Water Program Unpaved Road BMP Guide.*

Camp Dresser & McKee, et. al., 1993. *California Storm Water Best Management Practice Handbook (Municipal).* Prepared for the State Stormwater Quality Task Force.

County of San Mateo Department of Public Works, 2001. *Endangered Species and Watershed Protection Program, Volume 1: Maintenance Standards.*

Fifield, Jerald, 2002, *Field Manual on Sediment and Erosion Control Best Management Practices for Contractors and Inspectors*, Forester Press, publisher

Keith Guenther, Wildland Solutions, PO Box 710 Brewster, WA 98812. *Low Maintenance Roads for Ranch, Fire and Utilities Access Wildland Solutions Field Guide Series*

Harris, Richard R., Susan D. Kocher, and Kallie Marie Kull, January 2001. *Effects of County Land Use Policies and Management Practices on Anadromous Salmonids and their Habitats: Sonoma, Marin, San Mateo, Santa Cruz and Monterey Counties, California.*

Santa Clara Valley Nonpoint Source Pollution Control Program, 1994. *Best Management Practices for the Construction Industry* (7 tri-fold brochures)

Weaver, William E. and Danny K Hagans, Pacific Watershed Associates, *Handbook for Forest and Ranch Roads: A guide for planning, designing, constructing, reconstructing, maintaining and closing wildland roads*, June 1994.

## **Performance Standard and Supporting Documents for Rural Public Works Maintenance and Support Activities**

### **Attachment 3, continued MODEL BMPs**

#### **a) Management and/or Removal of Large Woody Debris and Live Vegetation from Stream Channels**

1. Do not remove or physically alter any large woody debris in any body of water except under the following emergency conditions:
  - A. Material backing up flows at a bridge or culvert during a storm may be modified to halt damage or flooding.
  - B. Large woody debris/log jams on public property that are damaging or immediately threatening the integrity of roads, bridges, other public facilities or private developments during high flows may be modified to reduce or halt damage and direct flow toward a more desirable path.
  - C. Logs and debris shall only be removed from streams as a “last resort” (i.e. failure to remove them will most likely cause the loss of an essential facility or in order to maintain channel capacity).
  - D. Non-emergency debris maintenance will only be undertaken after the appropriate permits have been obtained.
2. Crews should take precautions when modifying log or debris jams in order to prevent damage downstream. “Cut and plug” practices should be avoided, when possible.
3. Emergency modifications and/or removal shall be limited to materials higher than approximately 2’ above the streambed (i.e. above knee height) to preserve some instream habitat features unless the log or debris jam is immediately upstream of a culvert or bridge, or if permit conditions require otherwise. Secure root wads should be left in place, when possible.
4. Reusable large woody debris such as root balls and sizeable logs shall be transported, when logistically feasible to a storage facility. These materials can be used at a later date for erosion repair, mitigation projects or ground up to be used as ground cover. Trees, logs and/or stumps shall be left in the longest lengths/diameters practicable for removal and hauling. When uprooted trees must be cut, leave at least 8’ of trunk attached to the root ball. All other logs should be left at least 12’ long (to stockpile for future use).

## **b) Streambank Stabilization Projects**

1. When areas adjacent to water bodies wash or slip out resulting in a reduction of the width of the traveled way, Co-permittees shall consider responding by:
  - A. Temporary one-way traffic controls
  - B. Temporary closure of the road if adequate alternate route(s) exist
  - C. Rerouting road into cut slope (This is acceptable if the impacts to the slope and road are minimal, if the additional cut is within the existing right of way or if written approval can be obtained from the owner of the property impacted by the cut slope.)
  - D. Emergency stabilization using large wood materials (root wads, log cribbing, etc.)
  - E. Placement of asphalt concrete or cutback berms to divert runoff away from the damaged area.
2. Potential impacts to upstream and downstream banks, structures and facilities should be identified before performing maintenance.
3. Slide debris shall not be sidecast. Reuse of slide debris shall be allowed for use in berms if the debris are free of organic materials and if the reuse is approved by a licensed engineer.
4. Notify proper regulatory agencies (e.g., Santa Clara Valley Water District, California Department of Fish and Game, and Regional Water Quality Control Board) about material that has naturally fallen into a watercourse due to a substantial slide.
5. In the case of an unexpected slide, use temporary erosion prevention and sediment control measures, such as sediment basins, silt fences, hay bales, erosion control mats, blankets or wattles, if necessary, to protect the slope until repairs have been completed. (Hay bales should not be used as filters alone)
6. Denuded slopes shall be revegetated. Perform hand seeding and/or hydroseeding and watering to allow germination of the seed prior to the first rains. Erosion control mats and mulching are necessary in the first wet season following revegetation.
7. Slide debris shall be removed to the nearest suitable area for temporary storage and shall be enclosed or contained after the emergency to prevent erosion. Slide debris removed by maintenance crews should not be allowed to erode into any water body. Slide debris shall be removed to the nearest permanent, stable storage or recycling location at the earliest opportunity, or may be used as backfill in permanent repair projects, except where such material is prohibited from use, as described in item 3 above.
8. Whenever possible, brush and garbage shall be sorted and stored separately from soils.
9. Rip rap shall only be used on stream banks for emergency stabilization of roads that have no alternate access, where one or more of the following conditions apply:
  - A. Rip rap previously existed, and is to be replaced in the same quantity and location and is immediately reported to agencies specified in Section d) Environmental Permitting for Rural Public Works Activities.

- B. Rip rap is to be placed only below the ordinary high water line to halt scour at the toe of a slope or bank supporting a public road, and is immediately reported.
  - C. Large wood materials (root wads, logs, etc.) are not available or are not considered to be effective.
10. Rip rap may be used to protect bridge support structures (abutments, embankments, etc.) that are actively being undermined and are at imminent risk of failure.
  11. Wherever possible, key trenches shall be dug prior to placing rip rap.
  12. Rip rap may be used for non-emergency stabilization only after applicable permits have been obtained. Proposals for non-emergency rip rap use shall include mitigation and avoidance measures such as incorporating large woody debris, revegetation, etc. into the bank stabilization.
  13. Monitor finished streambanks to ensure stability and vegetative growth. Consult original design engineer as necessary for adjustments and modifications.

**c) Road Construction, Maintenance, and Repairs in Rural Areas to Prevent and Control Road-Related Erosion**

Note: This section is applicable to work performed on all "rural roads", paved and unpaved, as defined in the Definition Section on page 4.

1. From the previously adopted Public Streets, Roads and Highways Operation and Maintenance Performance Standards, the following apply:
  - A. Road Construction/Maintenance
    1. General Road Construction/Maintenance Practices
      - a. Schedule construction and maintenance activities for dry weather. Minimize the exposed area and the duration of exposure. Stabilize disturbed areas as quickly as possible.
      - b. Protect downslope drainage courses, streams, and storm drains with wattles, sand bags, earth dikes, or temporary drainage swales to divert or trap and filter runoff.
      - c. Stockpile materials away from streets, gutter areas, storm drain inlets or watercourses. During wet weather, prevent transport of materials in runoff. Possible methods include covering stockpiles and excavated soil with secured tarps or plastic sheeting, or surrounding stockpiles and excavated soils with berms.
      - d. Prevent excess material from entering streets or storm drain inlets. Designate an area for clean up and properly dispose of excess materials
      - e. Use only as much water as necessary for dust control, to avoid runoff.

- f. If it rains unexpectedly, take appropriate action to prevent pollution of storm water runoff. (e.g., divert runoff around work areas)
- g. When designing roads for construction, consider incorporating ditches, berms, dikes and swales in order to intercept runoff from surfaces and convey it to stabilized watercourses, drainage pipes, or channels.
- h. During construction, inspect and maintain all BMPs daily to ensure that they are working properly and to ensure that problems are corrected as soon as they develop.
- i. Road drainage systems and stream crossings should be maintained by annual and storm period inspections to prevent small problems from growing into large failures.
- j. Consider replacement of stream crossing structure, when ongoing maintenance does not mitigate any associated problems. See Section e. Road Planning and Design BMPs for specific design considerations.

## 2. Asphalt/Concrete Removal

- a. After breaking up old pavement, sweep up materials thoroughly to avoid contact with rainfall and storm water runoff. Recycle as much material as possible, and properly dispose of non-recyclable materials.
- b. During saw cutting and grinding operations, use as little water as possible. Block or place berms around nearby storm drain inlets, in drainage channel (if no inlet is nearby), or around work area (when bordering watercourse) using sand bags or an equivalent appropriate barrier, or absorbent materials such as Wet Vac, pads, pillows and socks to contain slurry. If slurry enters the storm drain system, remove material immediately.
- c. Remove saw-cut slurry (e.g., with a shovel or vacuum, or sweep up when dry) as soon as possible.

## 3. Concrete Installation and Repair

- a. Avoid mixing excess amounts of fresh concrete or cement mortar on-site.
- b. Wash out concrete transit mixers only in designated washout areas where the water will flow into drums or settling ponds or onto dirt or stockpiles of aggregate base or sand. Pump water from settling ponds to the sanitary sewer, where allowed. Whenever possible, recycle washout by pumping back into mixers for reuse. Never dispose of washout into the street, storm drains, drainage ditches, or creeks.
- c. Whenever possible, return leftover materials in the mixer barrel to the yard for recycling. Dispose of small amounts of excess concrete, grout, and mortar in the trash.

4. Patching, Resurfacing, and Surface Sealing

- a. Sweep up as much material as possible and dispose of properly. Only wash down streets if runoff is controlled or contained.

5. Traffic Detector Loop Installation and Repair

- a. Protect nearby storm drain inlets prior to cutting or flushing slot for traffic detector loops. Block or berm around nearby storm drain inlets using sand bags or an equivalent barrier, or use absorbent materials such as pads, pillows and socks to contain slurry.
- b. Clean up residues by sweeping up as much material as possible, and dispose of material properly.

B. Road Embankment and Median Maintenance

1. Erosion Prevention and Sediment Controls

- a. Maintain vegetative cover on medians and road embankments to prevent soil erosion, trap pollutants and slow the rate of storm water runoff. Plant and/or retain native vegetation as much as possible. Adjust mowing heights to allow substantial stubble. Leave clippings in place or apply mulch as additional cover.
- b. Use measures that break the slopes to reduce the problems associated with concentrated flow volumes and runoff velocities.
- c. Avoid moving large quantities of earth, except where regrading is necessary to repair or reconfigure an embankment. Disking may be used to manage vegetation on slopes less than 20%. It shall be performed parallel to the contour to prevent rills and gullies from forming during rain events. Disking shall not be performed in areas that support endangered species such as ground burrowing owls, harvest mice, beetles, etc.
- d. Inspect drainage facilities, including cross drains, on a regular basis to ensure that sufficient drainage is provided during storm periods, so that runoff diverted onto slopes does not cause erosion. Report and remediate any observed erosion problems as soon as possible.
- e. Ensure that erosion prevention and sediment control is provided for storm drain outfalls.

2. Vegetation Controls

- a. Manual and Mechanical Vegetation Removal
  - i. Preserve existing vegetation to the maximum extent practicable within the riparian corridor in order to provide erosion prevention and sediment control, watershed protection, habitat protection, landscape beautification,



dust control, pollution control and shade cover. Existing vegetation may be modified if restoring the riparian corridor with native vegetation species.

- ii. Keep removed vegetation, including clippings, chips, and pruning debris, away from storm drain inlets and watercourses.
- iii. When loading or chipping brush into a parked truck, do not leave leaves, twigs, chips, or other debris in the gutter or shoulder.
- iv. When working on a slope, avoid loosening soil that could erode into drainage systems. Loosen only the amount of soil needed to remove the vegetation.
- v. Avoid loosening soil or removing vegetation when rain is expected.
- vi. Avoid using mechanical machinery on slopes greater than 30% whenever possible.
- vii. Minimize the use of heavy equipment on saturated soils.

## 2. Maintenance Activities Unique to Unpaved Rural Roads

- A. Perform regular inspection to determine if grading is needed to maintain smooth drivable surfaces that are adequately sloped to drain water from the surface without creating erosion problems. Choose appropriate grading, crowning, inslope or outslope, and drainage for road sections.
- B. Consider using additional road surface drainage such as rolling dips, water bars, water bars/breaks or open-top culverts, to safely remove runoff that consistently builds up on the road surface or inside ditch.
- C. Monitor for soft spots or areas of poor subsurface drainage in subgrade. Fill and re-compact holes in subgrade. Provide subsurface drainage if needed.
- D. Monitor and re-grade rolling dips if needed.
- E. Clean ditch and re-build berm for water bars, as needed.
- F. Monitor open-top culverts after storms and clean as needed.
- G. Monitor for potholes, washboarding, and areas of poor surface drainage on gravel surface roads. Re-slope, smooth, and compact where necessary.
- H. Water, fertilize, re-seed and mow vegetative surface treatments when necessary.
- I. Re-apply mulches and fabric surface treatments as needed.
- J. Monitor fords after storms. Repair as needed. See Section C.1.A.1.j for replacement options when ongoing maintenance does not mitigate associated problems.

### **d) Environmental Permitting for Rural Public Works Activities**

1. Permits or written exemptions are required for work involving any of the following:
  - A. Discharge or placement of any structure or within the banks of the stream or channel (including rip rap, concrete or asphalt, and woody material)
  - B. Dredging, removal or modification of any structure, fill, sediment, large woody debris or vegetation within the banks of the stream or channel

- C. Any work that potentially alters the habitat of any endangered species (including streams, tributaries, lakes, ponds, certain ditches, beaches, wetlands, marshes, banks, and riparian areas, and upland areas).
2. The jurisdictions of the various agencies that must be contacted in response to work performed in areas identified in item 1 above are as follows:
    - A. Regional Water Quality Control Board
      1. Certification under Section 401 of the Clean Water Act is required whenever project activities require a Federal permit (such as an Army Corps of Engineers nationwide permit or individual permit issued under Section 404 of the Clean Water Act for a discharge to waters of the U.S. Discharges may include landfill, rip rap slope protection, bridge piers, outfall structures, etc.
      2. Waste Discharge Requirements (WDR's) are required for all proposed discharges above and below ordinary high water, that may impact beneficial uses of Waters of the State. For some discharges, it is possible to obtain waiver of WDR. "Fill", and thus structures, are considered discharges.
    - B. U.S. Army Corps of Engineers
      1. Certification under Section 404 of the Clean Water Act is required for discharges of dredge or fill material into waters of the U.S.
      2. Certification under Section 10 of the Rivers and Harbors Act is required for structures or work affecting navigable waters of the U.S.
    - C. California Department of Fish and Game
      1. Section 1600 Streambed Alteration Agreements are required for work in any riparian corridor, even if no actual work is performed in the stream channel.
    - D. Santa Clara Valley Water District
      1. Encroachment permits are required for any work within 50 feet of a watercourse in Santa Clara County, or for work that will result in the discharge of water to a watercourse.<sup>5</sup>
    - E. Bay Conservation and Development Commission (BCDC)
      1. Approval is required for all work in or within 100 feet of the San Francisco Bay.
      2. Permits or written exemptions shall be obtained prior to performing planned work such as culvert replacements, slide repairs, bank stabilization, etc. Maintenance

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<sup>5</sup> The District's Ordinance 83-2 is being revised and an increase in the width of the corridor within which encroachment permits are required is being considered.

supervisors shall keep in their possession copies of permits for work being performed under their supervision.

3. Emergency conditions may require that work be performed prior to obtaining written permits or exemptions. Maintenance managers and/or supervisors shall complete report forms for emergency work involving any of the elements described in a-c above. Forms shall document that emergency work was performed in response to valid conditions and should be submitted to the proper regulatory agencies. The Co-permittee is subject to enforcement action by one or more of the environmental agencies if work performed is found to be unnecessary. Forms shall be forwarded to the appropriate internal authority at the earliest opportunity and not more than three working days after completion of work.

#### **e) Road Planning and Design BMPs<sup>6</sup>**

##### 1. General

- A. Road junctions on steep slopes should be located far upslope from watercourses to protect against erosion.
- B. Where feasible, replace fords that have maintenance problems with an overpass stream crossing.

##### 2. When designing road drainage, the Co-permittee will consider the following:

- A. Outslope roads to minimize flows in the inside ditch and reduce the potential for erosion and sediment delivery to the next culvert.
- B. Insloped roads should be constructed where road surface drainage discharged over the fill slope would cause unacceptable erosion or discharge directly into stream channels, where fill slopes are unstable or where outsloping would create unsafe conditions for use.
- C. Insloped roads should be built with an inside drainage ditch to collect and remove road surface runoff.
- D. Inside ditches should be drained at intervals sufficient to prevent ditch erosion or outlet gullyng, and at locations where water and sediment can be filtered before entering a watercourse (filtering accomplished by thick vegetation, gentle slopes, settling basins, or filter windthrows of woody debris and mulches placed and secured on the slope).
- E. Ditch relief culverts should be designed and installed at intervals along the road that are close enough to prevent erosion of the ditch, gullyng or sliding of the slope below the culvert outlet of a cross-drain, direct transport of sediment along an inside ditch to a watercourse, and loss of capacity of culvert cross-drains due to filling with sediment.

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<sup>6</sup> Language in Section e) is based on recommendations in Weaver, William E. and Danny K Hagans, Pacific Watershed Associates, *Handbook for Forest and Ranch Roads: A guide for planning, designing, constructing, reconstructing, maintaining and closing wildland roads*, June 1994. See reference for more details.

- F. Ditches should not discharge directly into the inlet of a watercourse crossing culvert, and ditch relief culverts should not discharge into a watercourse without first directing flow through an adequate filter strip when possible.
- G. Where possible, replacement culverts should have a grade at least 2% greater than the ditch, which feeds it to prevent sediment build-up and blockage. Where possible, ditch relief culverts should be installed at the gradient of the original ground slope so that the outlet of the culvert will emerge on the ground surface beyond the base of the fill. (if not, fill below the culvert should be armored by rocks, or the culvert should be fitted with an anchored downspout to carry erosive flow past the base of the fill)<sup>7</sup>

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<sup>7</sup> Depending upon site conditions, culvert grades may deviate from this recommendation upon the professional opinion of the project engineer.

## SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM

### **Performance Standard and Supporting Documents for Rural Public Works Maintenance and Support Activities**

#### Attachment 4 STANDARD OPERATING PROCEDURES

This section contains the City of Mountain View's standard operating procedures (SOPs) for implementation of the performance standard.

#### **Description of Rural Public Works Maintenance Program**

- The Public Works Department and the Fire Department will be responsible for requiring implementation of the BMPs.
- Contractors will be informed of the requirements in project specifications, contracts, pre-construction meetings, and during inspections.
- Typically, contractors will be responsible for maintaining the BMPs.
- Wastes will be stored at protected disposal locations.
- Mechanical equipment will be stored and operated utilizing BMPs.
- Annual training on the use of appropriate BMPs is provided to maintenance staff.
- The City requires necessary environmental review and permitting from appropriate agencies for projects in watercourses.
- Construction BMP outreach materials will be provided for contractors, developers and staff on BMPs and permitting requirements?
- Public Works and the Police Department should be notified of unsafe road conditions.

# **CITY OF MOUNTAIN VIEW**

## **STORM DRAIN SYSTEM OPERATION AND MAINTENANCE PERFORMANCE STANDARD**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **Storm Drain O&M - Performance Standard Review**

The Purpose of this memo is to document the City of Mountain View's review of its URMP and Performance Standards for Storm Drain O&M. No revisions have been made to this Performance Standard.

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## **Performance Standard and Supporting Documents for Storm Drain System Operation and Maintenance**

### **INTRODUCTION**

#### **I. General**

Performance Standards define control measures or levels of achievement for particular tasks carried out by all Santa Clara Valley Urban Runoff Pollution Prevention Program (Program) co-permittees. Control measures are described in the Program's Storm Water Management Plan, which is the basis for the 1995-2000 NPDES municipal storm water permit (Permit) period. The development and implementation of Performance Standards is an integral part of the Program during the five-year Permit period.

#### **II. Purpose**

The purpose of the performance standard for the City of Mountain View's storm drain system operation and maintenance (O&M) is to identify maintenance activity implementation levels to optimize control of pollutants in storm water. Storm drain system O&M activities generally involve routine inspection and cleaning of inlets, catch basins, SD lines, drainage ditches, and pump stations to maintain capacity. This performance standard identifies the level of implementation for O&M activities, which the City of Mountain View will perform in order to control pollutants in storm water to the maximum extent practicable.

The performance standard is based on current and proposed practices that municipal agencies are and/or will be implementing to minimize water quality impacts, and practices that are accepted by the State and Regional Board as being effective in controlling these impacts. The performance standard is also consistent with the goals and objectives of the Storm Water Management Plan.

#### **III. Existing Storm Drain O&M Activities**

Existing Storm Drain O&M activities covered by this performance standard include the following:

- Storm Drain Inlet Inspection and Cleaning - Cleaning timing and frequency and identifying known problem areas;
- Storm Drain Line Inspection and Cleaning - Cleaning timing and frequency and identifying known problem areas;

- Storm Drain Manhole Inspection and Cleaning - Cleaning timing and frequency;
- Management of Storm Drain System Solid Waste - Management of material removed by storm drain operation and maintenance activities, including debris capture systems, containment storage and disposal;
- Debris Basin Inspection and Cleaning;
- Pump Station Inspection and Cleaning;
- Drainage Ditches Cleaning;
- Emergency Operations:
  - . Sewage Overflow
  - . Plugged Line
  - . Illegal Dumping.

**Performance Standard and Supporting Documents for  
Storm Drain System Operation and Maintenance**

**DEFINITIONS**

- Best Management Practices (BMPs) - cost effective practices which comply with the City's NPDES storm water discharge permit and are accepted by the City of Mountain View and the Santa Clara Valley Urban Runoff program for minimizing discharges of polluted waters to the storm drain thereby protecting water quality in streams, the groundwater basin, and the bay.
- Chapter 35, MVCC - the City of Mountain View's Industrial Sewer Use Ordinance".
- Chapter 24, MVCC - the City of Mountain View's "Hazardous Materials Ordinance".
- NPDES - "National Pollution Discharge Elimination System" and refers to the county-wide permit for discharging to the waters of the state. The City of Mountain View is a co-permittee identified in this permit.
- POTW - "Publicly-Owned Treatment Works. This is the facility that treats wastewaters entering the sanitary sewer system and discharges them to the Bay.
- Problem Areas - areas known or believed to contribute pollutants in high concentrations or volume.

**Performance Standard and Supporting Documents for  
Storm Drain System Operation and Maintenance**

**PERFORMANCE STANDARD**

1. Each municipal agency will implement best management practices (BMPs) for the storm drain system operation and maintenance (O&M) activities that it is responsible for conducting. in order to reduce pollutants in storm water to the maximum extent practicable. Specific BMPs for each type of O&M activity will be those listed in the agency's Work Plan BMPs and Control Measures (Section 3).
2. Each municipal agency will develop and implement a process for tracking hot spots and ensuring that appropriate BMPs and SOPs will be implemented for storm drain operation and maintenance activities.
3. Each municipal agency will develop and implement a process for ensuring that any contractor that it employs to conduct storm drain system O&M activities uses the appropriate BMPs adopted by the agency.
4. Each municipal agency will provide training on an annual basis to its municipal staff in the use of appropriate BMPs. The agency will also provide a mechanism for obtaining feedback from its municipal staff on the implementation and effectiveness of the BMPs.
5. As part of the annual reporting process. each co-permittee will review and evaluate the effectiveness of its BMPs in achieving the goals of reducing pollutants in storm water to the maximum extent practicable. The review and evaluation will include input from municipal maintenance staff that implement the BMPs. The evaluation process will include consideration for storm drain structural retrofit.
6. Each municipal agency will develop a process to advise the IC/ID inspectors when hot spots or unusual contaminants are encountered during routine storm drain cleaning/maintenance activities to allow IC/ID inspectors to track the illicit connections or illegal dumping incidents on the "Incident Type" annual summary form.

**Performance Standard and Supporting Documents for  
Storm Drain System Operation and Maintenance**

**PERFORMANCE STANDARD**

1. The City will implement best management practices (BMPs) for the storm drain system operation and maintenance (O&M) activities that it is responsible for conducting, in order to reduce pollutants in storm water to the maximum extent practicable. Specific BMPs for each type of O&M activity will be those listed in the BMPs and Control Measures section of this document.
2. The City will develop and implement a process for tracking problem areas and ensuring that appropriate BMPs and Standard Operating Procedures (SOPs) will be implemented for storm drain operation and maintenance activities.
3. The City will develop and implement a process for ensuring that contractors it employs to conduct storm drain system O&M activities use the appropriate BMPs.
4. The City will provide training on an annual basis to its Wastewater Section staff in the use of appropriate BMPs. The City will also provide a mechanism for obtaining feedback from Wastewater Section staff on the implementation and effectiveness of the BMPs.
5. As part of the annual reporting process, the City will review and evaluate the effectiveness of its BMPs in achieving the goals of reducing pollutants in storm water to the maximum extent practicable. The review and evaluation will include input from Wastewater Section staff that implement the BMPs. The evaluation process will include consideration for storm drain structural retrofit.

**Performance Standard and Supporting Documents for  
Storm Drain System Operation and Maintenance**

**WORK PLAN IMPLEMENTATION**

The City of Mountain View currently implements the Storm Drain System Operation and Maintenance performance standard. The City will summarize its compliance efforts during the year in its Annual Report. The format of the Annual Report reporting form is in the "City of Mountain View Annual Report Form" section of this document. Additional supporting documentation will be maintained at City offices and made available for public review.

For a summary of the procedures the City uses to implement these performance standards, see the "Standard Operating Procedures" section of this document.

**Performance Standard and Supporting Documents for  
Storm Drain System Operation and Maintenance**

**LEGAL AUTHORITY TO IMPLEMENT**

The City of Mountain View has adequate legal authority to implement the Storm Drain System Operations and Maintenance performance standard. The list below summarizes the various legal instruments used by the City to do so. Also, refer to Section 3 which describes best management practices and other control measures used by the City to implement the standard.

Summary of Legal Authority:

<b>LEGAL AUTHORITY</b>	<b>DESCRIPTION</b>
NPDES Permit No. CAS029718 (Order 95-180)	Stormwater permit for Santa Clara County and 13 co-permittees.
Memorandum of Agreement	Memorandum between the Santa Clara Valley Urban Runoff Pollution Prevention Program co-permittees, pursuant to the RWQCB NPDES Permit No. CAS029718.
City of Mountain View General Plan	Policy 16 requires establishment of pollution control measures to keep pollutants from entering Mountain View's storm drain system to protect the city's surface water resources. Policy 18 requires proper use, storage and disposal of toxic chemicals to prevent soil contamination.
Chapter 24, MVCC, Section 24.3.4	Requires adequate spill prevention and clean-up materials be maintained on site for leaks and spills.
Chapter 35, MVCC, Section 35.31.3	Prohibits discharge of sanitary sewage, industrial wastes or polluted waters to curbside gutter, storm sewer, storm drain or other natural outlet. Defines unlawful discharges to storm drain. Outlaws discharges of any pollutants or waters containing pollutants that violate the City's stormwater discharge permit or applicable water quality standards.
Chapter 35 MVCC, Section 35.32.10.1	Authorizes City to require "adequate protection" to prevent discharge of polluted water, hazardous materials, industrial wastes, or other wastes. Such protection includes "facilities" or "engineering controls".

<b>LEGAL AUTHORITY</b>	<b>DESCRIPTION</b>
Chapter 35 MVCC, Section 35.32.10.1(B)	Requires immediate clean-up of spills or leaks.
Chapter 35 MVCC, Section 35.32.10.1(T)	Requires a SWPPP for projects exceeding 5 acres. Defines acceptable during-construction practices in the document "Stormwater Pollution Prevention Guidelines for Construction Projects".



**Performance Standard and Supporting Documents for  
Storm Drain System Operation and Maintenance**

**BEST MANAGEMENT PRACTICES AND CONTROL MEASURES**

This section contains the list of Best Management Practices (BMPs) to be used by the City of Mountain View for compliance in the implementation of the performance standard. The BMPs are grouped by activity.

**BMP Applicability Summary Table for  
the City of Mountain View**

<b>Storm Drain O&amp;M Activities</b>	<b>BMPs do apply</b>	<b>BMPs do not apply</b>	<b>If BMPs do not apply, explain:</b>
<b>Routine Inspection and Cleaning</b>			
Inlets/Catch Basin Cleaning	X		
Storm Drain Line Cleaning	X		
Pump Stations, Detention and Debris Basins	X		
Known Problem Areas	X		
<b>Solid Waste Best Management Practices</b>			
Debris Removal	X		
Debris Capture Systems	X		
Containment and Storage	X		
Waste Dewatering	X		
<b>Staff/Contractor Training and Coordination</b>			
Referral and Follow-up Processes	X		
Staff Training	X		
Contract Specifications	X		
<b>Record Keeping and Evaluation</b>			
Record Tracking Maintenance	X		
Effectiveness Evaluation	X		
<b>Operational Improvement, Structural Retrofit and Design Changes</b>			
Annual Review	X		
Capitol Improvement Projects Maintenance Provisions	X		

### **Routine Inspection and Cleaning**

- Inspect and clean as needed, all inlets/catch basins at least once every other year (at least 50% of entire system inspected and cleaned each year).
- Inspect and clean as needed, all inlets/catch basins in known problem areas at least once a year.
- Inspect and clean as needed, all storm drain lines in known problem areas at least once a year.
- Inspect and clean as needed, sumps and debris racks at pump stations, detention basins, drainage ditches and debris basins throughout the year.
- Cleaning activities may occur on a year round basis; however, known problem areas shall be targeted prior to the rainy season.
- Inspect and clean as needed, all storm drain facilities that have been affected by emergency response activities.

### **Maintenance of Structural Controls**

- For those structural controls that the City installs and assumes maintenance responsibility, the City shall:
  - √ Inspect basins and ponds after major storm events for the first few months after construction and annually thereafter;
  - √ Mow grass filter strips and swales at the frequency necessary to prevent woody growth and promote dense vegetation;
  - √ Regularly remove litter and debris from dry ponds, forebays, and water quality inlets;
  - √ Periodically stabilize and revegetate eroded areas;
  - √ Periodically remove or replace filter media from infiltration trenches and filtration ponds;
  - √ Conduct deep tilling of infiltration basins to maintain infiltrative capability;
  - √ Frequently vacuum or jet hose (with debris capture system) porous pavement or concrete grid pavements.
  - √ Minimize disturbance of channel bottoms during desilting. Removed silt shall be taken to the dump pad for dewatering and the dried material disposed of in dumpster.

The City shall coordinate with the California Department of Fish and Game, the U.S. Army Corps of Engineers, and other agencies as appropriate in order to comply with regulatory requirements prior to commencing work.

### **Solid Waste Best Management Practices**

- As much debris, silt, trash and sediment as possible shall be removed from the storm drain system when cleaning. Debris capture systems shall be used to prevent material from washing into streams or channels.

- The City shall provide proper containment for the temporary storage of removed debris during cleaning operations. Surface types of temporary storage sites shall be of concrete, asphalt or other type of impermeable material.
- Removed debris (solid waste) collected from storm drain systems shall be dewatered as necessary for proper disposal to the landfill. Dewatering shall normally take place on the City's concrete dump pad. Effluent from dewatering shall pass through the City's treatment system and discharged to the sanitary sewer under permit. When dry debris is transported to offsite storage or landfill, it shall be covered.

### **Emergency Operations**

- City staff shall follow the City's "Illicit Connection/Illegal Discharge Elimination Response Plan" during emergency response activities that deal with the following situations:
  - √ plugged lines during storms;
  - √ sewage overflow and cleanup;
  - √ illegal dumping; and
  - √ accidental spill control

### **Staff/Contractor Training and Coordination**

- The City's Wastewater Section of the Utilities Department shall be responsible for conducting storm drain operation and maintenance as well as compliance with this performance standard;
- When problems are discovered or emergency response actions undertaken, the Wastewater Section shall forward this information to the Environmental Safety Division for follow-up investigation and enforcement. Controls may be put in place during the follow-up investigation to deter further discharges. These include posting notices and fencing off areas.
- Wastewater Section personnel shall be provided with training at least once a year with emphasis on controlling storm water pollution through storm drain operation and maintenance.
- The City shall include provisions for storm water pollution prevention in contract specifications for conducting storm drain operation and maintenance.

### **Record Keeping and Evaluation**

- City shall maintain maps identifying the following:
  - √ Existing major structural controls;
  - √ Existing inlets;
  - √ Existing catch basins;
  - √ Existing detention basins;
  - √ Existing debris basins;
  - √ Existing storm drain pipelines; and
  - √ Existing pump stations.
- City shall maintain records tracking all cleaning activities. The records shall show when and

which facilities have been inspected and cleaned. Spill and illegal dumping incidents and responses to both incidents shall also be documented and tracked.

- City shall document any spills and illegal dumping incidents and the follow-up actions/referrals.
- City shall document any unusual flows observed during inspection (particularly dry weather flows) and the follow-up actions/referrals.
- City shall document known problem areas and describe actions taken to remedy the situation.
- City shall document silt and vegetation removal practices;

### **Operational Improvement, Structural Retrofit and Design Changes**

- Review the storm drain operation and maintenance program annually and if needed, identify operational improvements, opportunities for structural retrofit and design changes. Structural retrofit controls include, but are not limited to:
  - √ detention controls;
  - √ infiltration controls; and
  - √ filtration controls.
- Where appropriate, the City shall retain low growing vegetation in channel bottoms and slopes to detain runoff, trap sediment and enhance riparian habitat when evaluating the need to maintain channel design capacity.
- Operation and maintenance provisions shall be included in planning and design phases of Capitol Improvement Projects to ensure that storm water quality issues are considered in the design of storm drain systems.

### **Effectiveness Evaluation**

- City shall review its records annually to critique the effectiveness of storm drain operation and maintenance activities. Effectiveness shall be evaluated in terms of:
  - √ what's working (successes);
  - √ what's not working or could be improved (problems identification);
  - √ recommendations for improvement; and
  - √ overall effectiveness of program
- Modifications to the City's storm drain operation and maintenance activities, based on the above evaluation, shall be identified in its annual work plan.

## Performance Standard and Supporting Documents for Storm Drain System Operation and Maintenance

### STANDARD OPERATING PROCEDURES

This section presents the standard operating procedures (SOPs) that the City of Mountain View uses for implementation of the performance standard, and identifies the division(s) within the City that are responsible for their implementation.

#### **Performance Standard #1:**

The City will implement best management practices (BMPs) for the storm drain system operation and maintenance (O&M) activities that it is responsible for conducting, in order to reduce pollutants in storm water to the maximum extent practicable. Specific BMPs for each type of O&M activity will be those listed in the BMPs and Control Measures section of this document.

#### Responsible Division:

City of Mountain View Public Services Department, Utilities Division

#### Standard Operating Procedures:

The BMPs listed in this document are followed during implementation of the storm drain system operation and maintenance activities.

The Wastewater Section of the Utilities Division inspects and maintains the City's storm sewer system infrastructure, including 1,600 storm drain inlets, 79 miles of storm sewer piping, two drainage ditches, and two retention basins. Storm drain inlets, catch basins, and their associated laterals are cleaned using the Vac-Con vacuum truck. The Vac-Con truck is also used to flush and clean approximately 65% of the storm sewer main pipes. The remaining 35% of the storm sewer main pipes are not cleaned regularly because the pipes have a diameter that exceeds 24 inches, which limits the cleaning efficiency of the Vac-Con truck.

Two drainage ditches and two retention basins are maintained to ensure that storm water flow will not be impaired by excessive vegetation and debris. Mechanical vegetation removal equipment, including hand operated weed removal equipment and a front loader, is used to remove vegetation and debris from the areas of concern. These areas are maintained annually.

The Pumps and Wells Section of the Utilities Division maintains the City's three storm water pump stations. Maintenance of the pump stations involves weekly cleaning and inspection of the bar screens to remove accumulated debris. Sediments that settle to the bottom of the pump station wells are also pumped on an as needed basis.

#### **Performance Standard #2:**

The City will develop and implement a process for tracking problem areas and ensuring that appropriate BMPs and Standard Operating Procedures (SOPs) will be implemented for storm drain operation and maintenance activities.

**Responsible Division:**

City of Mountain View Public Services Department, Utilities Division

**Standard Operating Procedures:**

The Wastewater Section of the Utilities Division has identified problem areas during inspection and cleaning of storm drains over the past several years. Problem area inspections are included in the Wastewater Section's regularly scheduled maintenance activities. These areas include the City parking lots which are located behind many of the businesses along Castro Street. These problem areas are inspected and cleaned, if necessary, 2 times per year. When inspection of a problem area, or any storm drain, reveals an illegal dumping incident, Wastewater Section personnel report the findings to the Environmental Safety Division for follow-up and enforcement.

**Performance Standard #3:**

The City will develop and implement a process for ensuring that contractors it employs to conduct storm drain system O&M activities use the appropriate BMPs.

**Responsible Division:**

City of Mountain View Public Services Department, Utilities Division

**Standard Operating Procedures:**

Typically, the City of Mountain View conducts all of its own storm drain system O&M activities. In the future, if contractors are used to conduct storm drain system O&M activities, the process to ensure that contractors employ appropriate BMPs will be to include BMP implementation as a contract requirement, and to meet with the contractor before operations are started to provide BMP training. Occasional inspections of the contractors work site may also be conducted to ensure that BMPs are incorporated.

Every year, the City contracts with a sewer inspection company in an effort to videotape the sanitary and storm sewer systems. Approximately 5% of the storm sewer system is videotaped each year. The contract company is required to clean the conveyance system prior to videotaping. The contract company's clean-up effectiveness is evaluated when the videotape is viewed.

**Performance Standard #4:**

The City will provide training on an annual basis to its Wastewater Section staff in the use of appropriate BMPs. The City will also provide a mechanism for obtaining feedback from Wastewater Section staff on the implementation and effectiveness of the BMPs.

**Responsible Division:**

City of Mountain View Fire Department, Environmental Safety Division

**Standard Operating Procedures:**

The Environmental Safety Division provides annual training on the use of appropriate BMPs to municipal staff, including Wastewater Section personnel. During the training sessions, municipal staff are encouraged to provide feedback regarding the implementation and effectiveness of the BMPs either during the training session or any time throughout the year. Feedback is also obtained through informal visits to job sites by inspectors to discuss BMPs,

and to look for ways to improve BMP effectiveness.

**Performance Standard #5:**

As part of the annual reporting process, the City will review and evaluate the effectiveness of its BMPs in achieving the goals of reducing pollutants in storm water to the maximum extent practicable. The review and evaluation will include input from Wastewater Section staff that implement the BMPs. The evaluation process will include consideration for storm drain structural retrofit.

**Responsible Division:**

City of Mountain View, Fire Department, Environmental Safety Division  
City of Mountain View, Public Services Department, Utilities Division

**Standard Operating Procedures:**

The Annual Report for storm drain system O&M activities will be completed by the Environmental Safety Division. Review and evaluation of BMP effectiveness will include input from the Wastewater Section. The feasibility of a storm drain structural retrofit will be included in the annual report evaluation process.

**Performance Standard #6**

As an on-going procedure, the City's Wastewater Section will advise the IC/ID inspectors when hot spots or unusual contaminants are encountered during routine storm drain cleaning/maintenance activities to allow IC/ID inspectors to track the illicit connections or illegal dumping incidents on the "Incident Type" annual summary form.

**Responsible Division:**

City of Mountain View, Fire Department, Fire and Environmental Protection Division  
City of Mountain View, Public Services Department, Utilities Division

**Standard Operating Procedure:**

During routine storm drain system maintenance activities, the Wastewater Section will inspect the system for evidence of illegal discharges to the storm drain system. If evidence of illegal dumping or illicit connection is observed, the evidence or incident description is referred to the City's Fire and Environmental Protection Division.



**Performance Standard and Supporting Documents for  
Storm Drain System Operation and Maintenance**

**CITY OF MOUNTAIN VIEW ANNUAL REPORT FORM**

The form listed below will be submitted as the City's Annual Report. The Annual Report will identify whether the City of Mountain View has complied with the Storm Drain System Operation and Maintenance performance standards during the previous year. Additional supporting documentation will be maintained at City offices and made available for public review.

1. Is the City implementing best management practices (BMPs) for storm drain system operation and maintenance (O&M) activities that it is responsible for conducting, in order to reduce pollutants in storm water to the maximum extent practicable?

Yes  No If no, explain:

2. Has the City developed and implemented a process for tracking problem areas, and has it implemented appropriate BMPs and SOPs?

Yes  No If no, explain:

3. Has the City developed and implemented a process for ensuring that any contractor that it employs to conduct storm drain system O&M activities uses the appropriate BMPs adopted by the City?

Yes  No If no, explain:

4. Has the City provided training on an annual basis to its municipal staff in the use of appropriate BMPs?

Yes  No If yes, describe the training provided during the past year.  
If no, explain:

Has the City provided a mechanism for obtaining feedback from its municipal staff on the implementation and effectiveness of the BMPs?

Yes  No If no, explain:

5. Has the City reviewed and evaluated the effectiveness of BMPs in achieving the goals of reducing pollutants in storm water to the maximum extent practicable?

Yes  No If yes, include the annual effectiveness evaluation in this report.  
If no, explain:

Did the City's evaluation include input from municipal maintenance staff that implement the BMPs?

Yes  No If no, explain:

Did the City's evaluation include consideration for storm drain structural retrofit?

Yes  No If no, explain:

# **CITY OF MOUNTAIN VIEW**

## **WATER UTILITY OPERATION AND MAINTENANCE PERFORMANCE STANDARD**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **Water Utility O&M - Performance Standard Review**

The Purpose of this memo is to document the City of Mountain View's review of its URMP and Performance Standards for Water Utility O&M. No revisions have been made to this Performance Standard.

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## **Performance Standard and Supporting Documents for Water Utility Operation and Maintenance**

### **INTRODUCTION**

#### **Introduction**

Performance Standards are the standards which define control measures (particular programs or tasks carried out by co-permittees). Control Measures are described in the Program's Storm Water Management Plan, which is the plan for the 1995-2000 NPDES municipal storm water permit period. Several Performance Standards are required under the provisions of the 1995 NPDES Permit. The development and implementation of Performance Standards is an important part of the Program during the five-year period under the NPDES permit.

The components contained herein constitute the Water Utility Operation and Maintenance Performance Standard.

#### **Purpose**

The purpose of this document is to provide information which details the program and criteria for meeting the standard (work plan). Its use is intended for the individual responsible for implementing the standard, the manager that authorizes the activity, the regulator that reviews the standard and any interested party.

The level or intensity has been established based upon co-permittee community characteristics and the appropriateness of a control measure implementation for the agency (MEP).

The Water Utility Operation and Maintenance Performance Standard defines the level of implementation necessary to demonstrate the control of pollutants discharged from the operation and maintenance of municipal water supply utilities to the maximum extent practicable.

#### **Process**

The City of Mountain View has completed all the performance standards identified and required in the 1995 NPDES permit. The City of Mountain View is responsible for providing or completing the performance standard package and the annual reporting on each performance standard. A complete set of performance standards is kept on file by the Program as well as the City of Mountain View.

## Performance Standard and Supporting Documents for Water Utility Operation and Maintenance

### DEFINITIONS

- Best Management Practices (BMPs) - cost effective practices which comply with the City's NPDES storm water discharge permit and are accepted by the City of Mountain View and the Santa Clara Valley Urban Runoff program for minimizing discharges of polluted waters to the storm drain thereby protecting water quality in streams, the groundwater basin, and the bay.
- CEQA - California Environmental Quality Act. This law requires review of new projects in order to identify and ultimately avoid or reduce the negative environmental impacts associated with it.
- Chapter 24, MVCC - the City of Mountain View's "Hazardous Materials Ordinance".
- Chapter 35, MVCC - the City of Mountain View's "Industrial Sewer Use Ordinance".
- NEPA - National Environmental Policy Act. This law requires consideration of environmental consequences through preparation of a statement of environmental impact for most Federal activities.
- NPDES - "National Pollution Discharge Elimination System" and refers to the county-wide permit for discharging to the waters of the state. The City of Mountain View is a co-permittee identified in this permit.
- Water Utility Pollution Prevention Plan (WUPPP) - A plan describing best management practices to use to minimize the impact on storm water runoff during water utility operations and maintenance activities.

## Performance Standard and Supporting Documents for Water Utility Operation and Maintenance

### PERFORMANCE STANDARD

This performance standard applies to discharges resulting from the operation and maintenance (O&M) of municipal water supply systems within the Santa Clara Valley Urban Runoff Pollution Prevention Program, which comprises the Santa Clara Valley Water District, the County of Santa Clara, and the thirteen cities in the County. The water supply systems covered by the performance standard extend from a utility' source of supply to its customers' points of connection, and include treated and untreated potable water supply systems, reclaimed (recycled) water supply systems, raw water systems, and non-potable water.

The following four components are designed to achieve pollutant reduction or pollution prevention benefits to the maximum extent practicable while the safety and continuity of the public water supplies are maintained.

**Component 1.** Inventory of discharges by each affected water utility.

Every three years, conduct an inventory of all key O&M activities, and identify routine and unplanned non-storm water discharges from these activities.

**Component 2.** Pollution control

Implement the pollution control measures identified in the Water Utility Pollution Prevention Plan (WUPPP) to manage chlorine, biocides, and algacides and prevent erosion and sedimentation.

**Component 3.** Staff/Contractor Training and Coordination

Conduct annual training for applicable staff; coordinate WUPPP elements with water utility project planning; and include applicable WUPPP elements (BMPs, conditions, specifications, etc.) in contract and service agreements.

**Component 4.** Review and Evaluation the WUPPP

Evaluate the effectiveness of the WUPPP annually. Maintain accurate documentation and revise the WUPPP as necessary.

**Performance Standard and Supporting Documents for  
Water Utility Operation and Maintenance**

**WORK PLAN IMPLEMENTATION**

The City of Mountain View currently implements the Water Utility Operation and Maintenance performance standard. The City will summarize its compliance efforts during the year in its Annual Report. The format of the Annual Report reporting form is in the "City of Mountain View Annual Reporting Form" section of this document. Additional supporting documentation will be maintained at City offices and made available for public review.



## Performance Standard and Supporting Documents for Water Utility Operation and Maintenance

### LEGAL AUTHORITY TO IMPLEMENT

The City of Mountain View has adequate legal authority to implement the Water Utility Operation and Maintenance performance standard. The list below summarizes the various legal instruments used by the City to do so. Also, refer to the section that describes best management practices and other control measures used by the City to implement the standard.

Summary of Legal Authority:

LEGAL AUTHORITY	DESCRIPTION
NPDES Permit No. CAS029718 (Order 95-180)	Stormwater permit for Santa Clara County and 13 co-permittees.
Memorandum of Agreement	Memorandum between the Santa Clara Valley Urban Runoff Pollution Prevention Program co-permittees, pursuant to the RWQCB NPDES Permit No. CAS029718.
City of Mountain View General Plan	Policy 16 requires establishment of pollution control measures to keep pollutants from entering Mountain View's storm drain system to protect the city's surface water resources. Policy 18 requires proper use, storage and disposal of toxic chemicals to prevent soil contamination.
Chapter 24, MVCC, Section 24.3.4	Requires adequate spill prevention and clean-up materials be maintained on site for leaks and spills.
Chapter 35, MVCC, Section 35.31.3	Prohibits discharge of sanitary sewage, industrial wastes or polluted waters to curbside gutter, storm sewer, storm drain or other natural outlet. Defines unlawful discharges to storm drain. Outlaws discharges of any pollutants or waters containing pollutants that violate the City's stormwater discharge permit or applicable water quality standards.

Chapter 35 MVCC, Section 35.32.10.1	Authorizes City to require "adequate protection" to prevent discharge of polluted water, hazardous materials, industrial wastes, or other wastes. Such protection includes "facilities" or "engineering controls".
Chapter 35 MVCC, Section 35.32.10.1(B)	Requires immediate clean-up of spills or leaks.
Chapter 35 MVCC, Section 35.32.10.1(T)	Requires a SWPPP for projects exceeding 5 acres. Defines acceptable during-construction practices in the document "Stormwater Pollution Prevention Guidelines for Construction Projects".

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

**DATE:** August 30, 2001

**TO:** URMP

**FROM:** Eric Anderson, Urban Runoff Coordinator

**SUBJECT:** **WUPPP**

The purpose of this memo is to confirm that the City of Mountain View uses the Program WUPPP for BMP guidance regarding water utility operations and maintenance activities. Ultimately, the City would like to develop a customized WUPPP that will inventory operations performed by City personnel and provided BMPs for each operation in a format that is easy to read. Until the City-specific WUPPP is developed, the Program WUPPP will be used.

**Performance Standard and Supporting Documents for**

**Water Utility Operation and Maintenance**

**BEST MANAGEMENT PRACTICES AND CONTROL MEASURES**

A list of best management practices and control measures used by the City of Mountain View in implementing the Water Utility Operation and Maintenance performance standard is included in its Water Utility Pollution Prevention Plan (WUPPP).

**Performance Standard and Supporting Documents for  
Water Utility Operation and Maintenance**

**STANDARD OPERATING PROCEDURES**

The standard operating procedures (SOPs) that the City of Mountain View uses for implementation of the Water Utility Operation and Maintenance performance standard is included in its Water Utility Pollution Prevention Plan (WUPPP).

**Performance Standard and Supporting Documents for  
Water Utility Operation and Maintenance**

**CITY OF MOUNTAIN VIEW ANNUAL REPORT FORM**

The form listed below will be submitted as the City's Annual Report. The Annual Report will identify whether the City of Mountain View has complied with the Water Utility Operation and Maintenance performance standard during the previous year. Additional supporting documentation will be maintained at City offices and made available for public review.

1. Has the City conducted an inventory of all key O&M activities every three years?  
Yes    No    If yes, when is the last year that this inventory was conducted?  
If no, explain:
2. Has the City identified routine and unplanned non-storm water discharges from the above activities?  
Yes    No    If no, explain:
3. Has the City adopted the model or developed its own Water Utility Pollution Prevention Plan (WUPPP)?  
Yes    No    If yes, describe whether you have adopted the area-wide WUPPP with modifications or developed your own WUPPP.  
If no, explain:
4. Is the City implementing the WUPPP?  
Yes    No    If no, explain:
5. Has the City conducted its annual training to applicable staff on WUPPP implementation?  
Yes    No    If yes, describe training conducted during the past year.  
If no, explain:
6. Has the City coordinated the WUPPP elements with water utility project planning?  
Yes    No    If no, explain:
7. Has the City included applicable WUPPP elements in contract and services agreements?  
Yes    No    If no, explain:
8. Has the City evaluated the effectiveness of BMPs (listed in your WUPPP) during the past year.  
Yes    No    If yes, include the annual effectiveness evaluation in the Annual Report.  
If no, explain:
9. Has the City maintained accurate documentation of activities related to implementation of your WUPPP?

Yes    No    If no, explain:

10. Is the City revising its WUPPP based on the BMPs being changed?

Yes    No    If no, explain:

# APPENDICES



## Water Utility O&M Pollution Prevention Plan (WUPPP) Outline

- I. How to use this document
  - A. How to use this document
  - B. Reference tool
  - C. Document structure
  - D. Use of BMP sheets
  - E. Contact list
- II. Introduction
  - A. Purpose of Document
    - 1. What the document is
    - 2. Objective
      - a. Pollution prevention
      - b. Compliance with NPDES permit
    - 3. How it is intended to be used
  - B. Scope of Document
    - 1. Discharges covered
    - 2. Discharges not covered
- III. Background
  - A. Development of this document
    - 1. Developed by Santa Clara County Water Utilities
    - 2. How the inventory of discharges was accomplished
    - 3. How the BMps were developed
  - B. General description of impacts from water utility discharges
    - 1. Pollutants of concern (general discussion)
  - C. Description of the Regulatory requirements
    - 1. CA Water Code
    - 2. Basin Plan Requirements
    - 3. Urban Runoff Program requirements
    - 4. Fish and Game Code
  - D. Description of Discharges of Concern
    - 1. Types of discharges that occur
    - 2. The pollutant constituents expected in each type of discharge
    - 3. The approximate duration (expressed as a range) of each type of discharge
    - 4. Existing structural and non-structural control measures (if any) to reduce pollutants in discharge to surface water
  - E. Description of potential impacts to the environment
    - 1. Disinfection residual
    - 2. Contribution of sediments
    - 3. Other water quality
- IV. BMP Selection
  - A. How to select the BMP

- B. Table of BMPs and discharges
- C. Unlisted discharges
  1. Contact program manager
  2. Program manager to apply "discharge criteria"
- V. Reporting/Record-keeping
  - A. NPDES permit requirements
  - B. Comments and evaluation via work order
    1. Why revision may be necessary
    2. How to relay effectiveness evaluation
    3. Need for additional BMPs

#### Appendices

- A. Individual BMPs
  1. A detailed description of the particular BMP
  2. Operating procedures
  3. Sample field calculations to be performed, if pertinent
  4. Monitoring and evaluation
  5. Suitable applications for the BMP
  6. Structural diagrams, if pertinent
  7. Advantages and limitations of the BMP
  8. References
- B. Forms

# **CITY OF MOUNTAIN VIEW**

## **NEW DEVELOPMENT AND REDEVELOPMENT PLANNING PROCEDURES PERFORMANCE STANDARDS**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **New Development and Redevelopment Planning Procedures -  
Performance Standard Review**

The Purpose of this memo is to document the City of Mountain View's review of its URMP and Performance Standards for New Development and Redevelopment Planning Procedures. This Performance Standard was revised per the model Performance Standard for Planning Procedures dated 12/18/03. The revisions reflect the City's procedures to comply with NPDES Permit, Provision C.3 requirements.

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## APPENDICES

- City of Mountain View General Plan -
- Project Review Process Table
- Community Development Application Flow Chart
- CEQA Initial Study – Sections F, G, H, and K
- Standard Fire and Environmental Protection Conditions
- Public Works Department Standard Provisions
- Community Development Department Storm Water Quality Guidelines for Development Projects
- Plan Check Requirements for: Storm Drains/Sanitary Sewer Discharges
- Plan Check Requirements for: Installation or Upgrade of Hazardous Materials Storage or Use Areas

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **Introduction**

The goal of new development and redevelopment control measures is to minimize the storm water quality impacts of land development after construction. These control measures apply to both private development projects and municipal capital improvement projects. The Planning Procedures Performance Standard defines the level of implementation that municipal agencies in the Santa Clara Valley Urban Runoff Pollution Prevention Program (Program) must attain in order to demonstrate that their land use planning, development plan review and approval processes control storm water quality impacts to the maximum extent practicable. Control of impacts on storm water quality from construction activities is addressed under a separate Construction Inspection Performance Standard, although some overlap exists because the planning process is the appropriate opportunity to ensure that projects include erosion and sediment control measures during construction and after completion of construction.

The Planning Procedures Performance Standard was based originally on the San Francisco Bay Regional Water Quality Control Board's April 1994 *Staff Recommendations for New and Redevelopment Controls for Storm Water Programs (Recommendations)*. The *Recommendations* incorporate the mandates of EPA's storm water regulations as well as the *Coastal Zone Act Reauthorization Amendments*. The performance standard is also consistent with the goals and objectives of the New Development and Construction Activities Component of the Program's *Urban Runoff Management Plan (1997, rev. 2000)*. The performance standard has since been updated to meet the requirements in Provision C.3 of the Program's NPDES permit, amended per Regional Board Order No. 01-119, October 17, 2001.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **Definitions**

- **Best Management Practices (BMPs)** – cost effective practices which comply with the City’s NPDES storm water discharge permit and are accepted by the City of Mountain View and the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) for minimizing discharges of polluted waters to the storm drain thereby protecting water quality in streams, the groundwater basin, and the Bay.
- **CEQA** – California Environmental Quality Act. This law requires review of new projects in order to identify and ultimately avoid or reduce the negative environmental impacts associated with the project(s).
- **Chapter 24, MVCC** – the City of Mountain View’s “Hazardous Materials Ordinance.”
- **Chapter 35, MVCC** – the City of Mountain View’s “Wastewater Ordinance.”
- **Group 1 Projects** – Beginning October 15, 2003, municipal agencies must begin to implement permit Provision C.3. requirements for public and private projects in the following categories:

*Commercial, industrial, or residential developments that create one acre (43,560 square feet) or more of impervious surface, including roof area, streets and sidewalks. This category includes development of any type on public or private land, which falls under the planning and building authority of the Dischargers, where one acre or more of new impervious surface, collectively over the entire project site, will be created. Construction of one single-family home, which is not part of a larger common plan of development, with the incorporation of appropriate pollutant source control and design measures, and using landscaping to appropriately treat runoff from roof and house-associated impervious surfaces (e.g., runoff from roofs, patios, driveways, sidewalks, and similar surfaces), would be in substantial compliance with Provision C.3.*

*Streets, roads, highways, and freeways that are under the Dischargers’ jurisdiction and that create one acre (43,560 square feet) or more of new impervious surface. This category includes any newly constructed paved surface used primarily for the transportation of automobiles, trucks, motorcycles, and other motorized vehicles.*

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

Excluded from this category are sidewalks, bicycle lanes, trails, bridge accessories, guardrails, and landscape features.

*Significant Redevelopment projects.* This category is defined as a project on a previously developed site that results in addition or replacement, which combined total 43,560 square feet or more of impervious surface on such an already developed site (“Significant Redevelopment”). Where a Significant Redevelopment project results in an increase of, or replacement of, more than fifty percent of the impervious surface of a previously existing development, and the existing development was not subject to stormwater treatment measures, the entire project must be included in the treatment measure design. Conversely, where a Significant Redevelopment project results in an increase of, or replacement of, less than fifty percent of the impervious surface of a previously existing development, and the existing development was not subject to stormwater treatment measures, only that affected portion must be included in treatment measure design. Excluded from this category are interior remodels and routine maintenance or repair. Excluded routine maintenance and repair includes roof or exterior surface replacement, pavement resurfacing, repaving and road pavement structural section rehabilitation within the existing footprint, and any other reconstruction work within a public street or road right-of-way where both sides of that right-of-way are developed.

- NEPA – National Environmental Policy Act. This law requires consideration of environmental consequences through preparation of a statement of environmental impact for most Federal activities.
- NPDES – means “National Pollutant Discharge Elimination System” and refers to the county-wide permit for discharging storm water to the waters of the State. The City of Mountain View is a Co-Permittee identified in this permit.
- Projects with significant storm water pollution potential – A project which includes building construction, paving, grading, or a combination thereof, with a total footprint exceeding 2,000 square feet.
- Wet season -- As defined by local ordinance (typically October 15 to April 15).



## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **PERFORMANCE STANDARD**

- 1) The City of Mountain View has adequate legal authority to implement new development control measures, including all applicable requirements of Provision C.3, as part of its development plan review and approval procedures and other appropriate new development and redevelopment permitting procedures (Permit Provision C.3.a.i.).
- 2) Developers are provided with information and guidance materials on site design guidelines, building permit requirements, and BMPs for storm water pollution prevention early in the application process, as appropriate for the type of project and location (C.3.a.ii.).
- 3) The City of Mountain View's environmental documents required for those projects that fall under CEQA or NEPA review address both significant and cumulative storm water quality impacts during the life of the project, and relevant permit requirements. These documents include EIRs, negative declarations and initial study checklists (C.3.m.).
- 4) Developers of all projects subject to design review under its development plan review and approval procedures are encouraged by the City to consider incorporating appropriate source control and site design measures that minimize stormwater pollutant discharges to the maximum extent practicable.
- 5) Developers of Group 1 projects are required by the City to design and implement the following measures to reduce stormwater pollution to the maximum extent practicable<sup>1</sup>:
  - a. Site design shall include measures to minimize impervious land coverage, maximize infiltration (where appropriate and designed to protect groundwater quality<sup>2</sup>), and provide detention or retention as part of landscaping where feasible (C.3.b.i. and C.3.j.);
  - b. Source controls<sup>3</sup> shall be required to limit pollution generation, discharge, and runoff as appropriate (C.3.k.), including measures to discourage pesticide use (C.9.d.ii.);

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<sup>1</sup> Unless an alternative method of compliance is approved by the municipal agency in accordance with its alternative compliance program (C.3.g.).

<sup>2</sup> Refer to SCVURPPP C.3. Handbook: *Guidance for Implementing Stormwater Requirements for New and Redevelopment Projects*, Infiltration Guidelines.

<sup>3</sup> Source control measures should also be encouraged for all discretionary projects that include potential sources of pollutants or activities that are likely to generate pollutants.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

- c. Stormwater treatment measures shall be designed in accordance with the numeric design criteria in Provision C.3.d.;
  - d. Increases in peak runoff flow and volume shall be managed for appropriate projects by implementing the guidance in the Program's Hydromodification Management Plan (HMP) for the specific stream receiving the discharge, following approval of the HMP by the Regional Board (C.3.f.).
- 6) Developers of projects that disturb a land area of one acre or more are required by the City to demonstrate coverage under the State General Permit for Storm Water Discharges Associated with Construction Activity (C.3.a.iii.).
- 7) Developers of projects with potential for significant erosion and planned construction activity during the wet season are required by the City to prepare and implement an effective erosion and/or sediment control plan or similar document prior to the start of the wet season (C.3.a.iv.).
- 8) The City of Mountain View will implement an operation and maintenance (O&M) verification program that includes: (C.3.e.)
  - a) Compiling a list of private and public properties and responsible operators for all stormwater treatment measures;
  - b) Inspecting a subset of prioritized treatment measures for appropriate O&M, on an annual basis, with appropriate follow-up and correction;
  - c) Requiring legally enforceable agreements or other mechanisms assigning responsibility for O&M of treatment measures.
- 9) The City ensures that municipal capital improvement projects in will include storm water quality control measures during and after construction, as appropriate for each project, and that contractors comply with storm water quality control requirements during construction and maintenance activities (C.3.a.v.).
- 10) The City provides training at least annually to its planning, building, and public works staffs on planning procedures, policies, design guidelines, and BMPs for storm water pollution prevention (C.3.a.vi.).

City of Mountain View  
June, 2004

**Performance Standard and Supporting Documents for  
Planning Procedures for New Development and Redevelopment**

**Attachment 1  
WORK PLAN IMPLEMENTATION**

The activities conducted by the City of Mountain View to achieve the performance standard are outlined in the City's Work Plan for New and Redevelopment Requirements. The work plan includes an implementation schedule. The City's compliance efforts outlined in the work plan are summarized each year's Annual Report. See the City's Work Plan for New and Redevelopment Requirements and Annual Report documents for detailed information on the City's efforts.

**Performance Standard and Supporting Documents for  
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**Attachment 2  
 LEGAL AUTHORITY TO IMPLEMENT**

The City of Mountain View has adequate legal authority to implement the New Development and Construction performance standard. The list below summarizes the various legal instruments used by the City to do so. Also, refer to Section 3 which describes best management practices and other control measures used by the City to implement the standard.

Definitions:

- NPDES means “National Pollution Discharge Elimination System” and refers to the county-wide permit for discharging to the waters of the state. The City of Mountain View is a co-permittee identified in this permit.
- MVCC means “Mountain View City Code”.
- Chapter 24, MVCC refers to the City’s “Hazardous Materials Ordinance”.
- Chapter 35, MVCC refers to the City’s “Industrial Sewer Use Ordinance”.

Summary of Legal Authority:

LEGAL AUTHORITY	DESCRIPTION
NPDES Permit No. CAS029718 (Order 01-119)	Stormwater permit for Santa Clara County and 13 co-permittees.
Memorandum of Agreement	Memorandum between the Santa Clara Valley Urban Runoff Pollution Prevention Program co-permittees, pursuant to the RWQCB NPDES Permit No. CAS029718.
City of Mountain View General Plan	Policy 16 requires establishment of pollution control measures to keep pollutants from entering Mountain View’s storm drain system to protect the city’s surface water resources. Policy 17 requires soil stabilization measures that prevent soil erosion and

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	sedimentation. Policy 18 requires proper use, storage and disposal of toxic chemicals to prevent soil contamination.
Chapter 24, MVCC, Section 24.3.0(c)	Requires containers to be compatible with the materials they store to prevent leaks and spills.
Chapter 24, MVCC, Section 24.3.0(e)	Requires dispensing and mixing of hazardous materials to be done in a manner which does not increase risk of unauthorized discharge.
Chapter 24, MVCC, Section 24.3.0(f)	Requires an approved drainage system to prevent accumulation of liquid within secondary containment. The drainage system must conform to sanitary and storm drain discharge requirements.
Chapter 24, MVCC, Section 24.3.0(k)	Requires process tanks and equipment which involve temperature control of hazardous liquids to be provided with a high-temperature and low liquid-level shutoff to maintain product temperature and product level with a safe range.
Chapter 24, MVCC, Section 24.3.0(m)	Requires leak detection monitoring for all hazardous materials storage facilities.
Chapter 24, MVCC, Section 24.3.0(n)	Requires overflow protection and overspill protection when filling tanks or containers.
Chapter 24, MVCC, Section 24.3.0(o)	Requires tanks and associated piping subject to vehicular traffic and containing hazardous materials to be protected by guard posts.
Chapter 24, MVCC, Section 24.3.0(p)	Requires safety storage cabinets for storage of hazardous materials.
Chapter 24, MVCC, Section 24.3.0(q)	Requires secondary containment for all new storage facilities.
Chapter 24, MVCC, Section 24.3.0(r)	Requires separation of incompatible hazardous materials.
Chapter 24, MVCC, Section 24.3.0(s)	Requires shelves used for hazardous materials storage to be provided with a lip

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	or guard to prevent individual containers from falling off. Requires shelving units to be seismically braced.
Chapter 24, MVCC, Section 24.3.0(u)	Requires hazardous materials which require temperatures other than ambient to be stored in approved areas or containers which will maintain the needed temperature. Redundant temperature control is also required.
Chapter 24, MVCC, Section 24.3.0(v)	Requires transport of hazardous materials exceeding 5 gallons in an exit corridor to be conducted in an approved cart or truck.
Chapter 24, MVCC, Section 24.3.3	Requires hazardous materials storage facilities to be secured from public access.
Chapter 24, MVCC, Section 24.3.4	Requires adequate spill prevention and clean-up materials be maintained on site for leaks and spills.
Chapter 24, MVCC, Section 24.6.0	Allows City to conduct inspections for ascertaining compliance with Chapter 24.
Chapter 24, MVCC, Section 24.6.0(a)	Allows City to enter any structure or premises when an enforcement officer has reason to believe a violation has occurred.
Chapter 24, MVCC, Section 24.7.2	Requires a facility using/storing hazardous materials to provide a closure plan describing their procedures for terminating hazardous materials storage. This includes providing proof of proper removal via hazardous waste manifests, bills of lading, etc. The City may require soil/groundwater samples for suspect areas. All tanks and sumps must also be removed via permit.
Chapter 35, MVCC, Section 35.31.3	Prohibits discharge of sanitary sewage, industrial wastes or polluted waters to curbside gutter, storm sewer, storm drain or other natural outlet. Defines unlawful discharges to storm drain. Outlaws discharges of any pollutants or waters

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	containing pollutants that violate the City's stormwater discharge permit or applicable water quality standards.
Chapter 35 MVCC, Section 35.31.1	Authorizes the City to enter a facility for violations constituting an immediate or substantial danger to public health, safety and welfare.
Chapter 35 MVCC, Section 35.32.10.1	Authorizes City to require "adequate protection" to prevent discharge of polluted water, hazardous materials, industrial wastes, or other wastes. Such protection includes "facilities" or "engineering controls".
Chapter 35 MVCC, Section 35.32.10.1(B)	Requires immediate clean-up of spills or leaks.
Chapter 35 MVCC, Section 35.32.10.1(C)	Requires dischargers to maintain adequate supplies of spill prevention and clean-up equipment on site.
Chapter 35 MVCC, Section 35.32.10.1(D)	Prohibits interior floor drains to be connected to the storm sewer system.
Chapter 35 MVCC, Section 35.32.10.1(E)	Prohibits open containers containing hazardous materials or wastes from being left unattended unless in use or secondarily contained.
Chapter 35 MVCC, Section 35.32.10.1(G)	Requires floor cleaning to be conducted using "3-step method" and disposing in sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(I)	Requires all grease-generating facilities to have grease interceptors or traps. Requires new food service facilities to be equipped with a designated area for cleaning floor mats, containers and equipment. Requires new food service facilities to be equipped with covered and bermed area for their dumpsters.
Chapter 35 MVCC, Section 35.32.10.1(J)	Requires dischargers to label their storm drains in accordance with City's specifications.

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Chapter 35 MVCC, Section 35.32.10.1(K)	Requires roof-mounted equipment or tanks containing liquids other than potable water to be secondarily contained or discharge to the sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(L)	Prohibits sacrificial zinc anodes which contact the water supply in water distribution systems. Prohibits devices using electricity to dissolve copper or silver into water distribution systems, cooling systems pools, spas or fountains.
Chapter 35 MVCC, Section 35.32.10.1(O)	Requires new vehicle or equipment fueling facilities to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the fueling area and extending the cover 10' beyond the fuel pumps, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in fueling area.
Chapter 35 MVCC, Section 35.32.10.1(P)	Requires new outdoor vehicle or equipment maintenance facilities to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the area, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in maintenance area.
Chapter 35 MVCC, Section 35.32.10.1(Q)	Requires new loading docks used for shipping or receiving hazardous materials to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the loading dock, and 3) grading the area (sloped inward) or



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	installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in loading dock area.
Chapter 35 MVCC, Section 35.32.10.1(R)	Requires new outdoor areas used for stockpile storage to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the area, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in outdoor storage areas.
Chapter 35 MVCC, Section 35.32.10.1(S)	Requires new high-erosion areas to be designed to prevent run-on of storm water and run-off of spills by: 1) covering the area and grading it or installing a berm/curb around the perimeter of the area or 2) Retrofitting the area with a treatment system to intercept sediment runoff.
Chapter 35 MVCC, Section 35.32.10.1(T)	Requires a SWPPP for projects regulated under the State's General Construction Permit. Defines acceptable during-construction practices in the document "Stormwater Pollution Prevention Guidelines for Construction Projects".
Chapter 35 MVCC, Section 35.32.10.1(V)	Requires new parking garage floor drains on interior levels to be connected to an approved wastewater treatment system and discharge to the sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(W)	Requires new multi-family dwellings with 25 or more units to be equipped with a car wash connected to an approved treatment system and discharging to the sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(X)	Requires new swimming pools, spas and fountains to be installed with nearby accessible sanitary sewer clean-outs to allow for draining.

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Chapter 35 MVCC, Section 35.32.10.1(Z)	Requires new buildings with fire sprinkler systems to be installed with a sanitary sewer drain that can accept sprinkler water discharged during sprinkler system draining or activation of the inspector test valve.
<b>Chapter 35, MVCC will be revised to include a section granting authority to implement the requirements in the Storm Water Quality Guidance manual.</b>	Ordinance will provide authority to require storm water quality controls. Ordinance will be revised in FY 04-05.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **Attachment 3 BMPS AND CONTROL MEASURES**

This section contains a list of best management practices (BMPs) and control measures used by the City of Mountain View to implement the Planning Procedures Performance Standard. This section also lists the design criteria, procedures, or methods used to assist in the use of the BMPs or control measures. The format of this section follows the general flow of the steps involved in the project approval process.

#### **I. CEQA REVIEW**

During the CEQA review process, environmental impacts, including drainage and storm water discharge quality impacts, are analyzed. The City uses an environmental checklist to assure all environmental impacts are reviewed. If substantial environmental impacts for the project are identified, an environmental impact report (EIR) may be required. In an EIR, the applicant describes procedures for mitigating the identified impacts. The following documents assist with implementation of the requirements, and are included in the appendix.

- The City of Mountain View's General Plan Guidance
- The City of Mountain View's CEQA Checklist

#### **II. PRE-APPLICATION MEETING**

For large projects, a pre-application meeting is often suggested to applicants. The purpose of the meeting is to hear directly from the applicant and project consultants about the scope of the project, and to discuss the City's requirements, then identify critical issues that may hinder the project from moving forward. The pre-application meeting is an important junction for providing information about storm water control requirements.

#### **III. DEVELOPMENT REVIEW PROCESS**

Once the CEQA review is completed or a Negative Declaration is declared, the applicant submits rough drawings and a scope of the project. This includes a general project description, project and building size (square footage), and zoning of the parcel to be developed.

Development review applications are distributed by the Community Development Department to a number of City departments and divisions, including the Fire and Environmental Protection Division of the Fire Department. The Fire and Environmental Protection Division is responsible for reviewing development review applications for compliance with requirements associated with the Planning Procedures Performance Standard, including erosion controls, source controls, and storm water treatment controls. Standard Fire and Environmental Protection Conditions are placed on the project to notify the

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

applicant of the requirements. Applicants are then aware of the details that will be required in the Building plans in order to consider the plans complete.

In addition to the standard conditions, BMP brochures or plan review check sheets may be included to clarify comments and requirements. The following documents are used during the development review process to provide information about requirements for storm water pollution controls, and are included in the appendix.

- Information Distributed for Planning Applicants
- Standard Fire and Environmental Protection Conditions
- Public Works Department – Standard Provisions
- Public Works Department – Contract Specifications
- Stormwater Quality Guidelines for Development Projects (*includes design guidelines and O&M agreement*)
- Plan Check Requirements for: Storm Drain/Sanitary Sewer Discharges
- Plan Check Requirements for: Installation or Upgrade of Hazardous Materials Storage or Use Areas
- Blueprint for a Clean Bay
- It's in the Contract (but not in the Bay)

#### **IV. BUILDING PLAN SUBMITTAL**

After the applicant submits building plans and drawings to the Building Division, copies are distributed to a number of City departments and divisions, including the Fire and Environmental Protection Division of the Fire Department. The Fire and Environmental Protection Division is responsible for reviewing the building plans for compliance with the Planning Procedures Performance Standard and providing comments back to the applicant. For projects where plan check sheets are required, the plan check inspector reviews the items on the plans to confirm that the applicable check sheet items are addressed on the plans.

When the building plans are reviewed, if they do not adequately address the storm water requirements, the plans are typically disapproved, with notification to the applicant regarding the plan's deficiencies. In some cases, the deficiencies can be resolved prior disapproving the plans, which can speed up the plan review process. For projects that are disapproved, the applicant must re-submit plans that address the deficiencies in order to obtain a building permit.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### References:

- *Start at the Source: Residential Site Planning and Design Guidance Manual for Storm Water Quality* (BASMAA, 1999)
- *Using Site Design Techniques to Meet Development Standards for Stormwater Quality – A Companion Document to Start at the Source* (BASMAA, May 2003)
- SCVURPPP, *C.3. Handbook: Guidance for Implementing Stormwater Requirements for New and Redevelopment Projects*
- SCVURPPP, *Model Conditions of Approval for Pesticide Reduction in Landscaping Plans*, 9-30-02
- California Stormwater Quality Association, *Stormwater Best Management Practice Handbooks*, January 2003
- Memorandum to SCVURPPP Management Committee and BMP O&M Verification Work Group from Paul Randall and John Fusco, Program Staff, re *Guidance on Prioritization and Frequency of Stormwater Treatment Best Management Practice Inspections*, June 16, 2003.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **Attachment 4**

#### **SOURCE CONTROL MEASURES**

##### **INTRODUCTION**

This section contains the list of source control measures required by the City of Mountain View to control sources of pollutants associated with the post-construction phase of new development and redevelopment projects. These measures are typically required during the development review process, and are verified during the plan review and project inspection processes. These measures are required by the City to meet the intent of Permit Provision C.3.k.

##### **STRUCTURAL CONTROL MEASURES**

###### **A. Illegal Dumping to Storm Drain Inlets and Waterways**

- 1) On-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay."
- 2) It is unlawful to discharge any wastewater into storm drains, gutters, creeks, or the San Francisco Bay. Unlawful discharges to storm drains include, but are not limited to, discharges from toilets; sinks; industrial processes; cooling systems; boilers; fabric cleaning; equipment cleaning; or vehicle cleaning.
- 3) It is unlawful to cause hazardous domestic waste materials to be deposited in such a manner or location as to constitute a threatened discharge into storm drains, gutters, creeks or San Francisco Bay.

###### **B. Interior Floor Drains**

- 1) Interior floor drains shall be plumbed to the sanitary sewer system and shall not be connected to storm drains.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **C. Equipment Plumbing**

- 1) It shall be unlawful to discharge to the storm sewer system any of the following:
  - Air compressor condensate;
  - Air scrubber water;
  - Boiler water blow-down;
  - Chiller water;
  - Cooling tower blow-down

### **C. Parking Lots**

- 1) Interior level parking garage floor drains shall be connected to an approved wastewater treatment device and discharging to the sanitary sewer system.

### **D. Landscape Runoff Controls**

- 1) Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate. Examples include: no steep slopes exceeding 10 percent; using mulches; installing plants with low water requirements; and installing appropriate plants for the location in accordance with appropriate climate zones.
- 2) Install efficient irrigation to avoid excess irrigation runoff. Examples include: setting timers to run in several short cycles; using multi-programmable controllers; using rain shutoff devices, using drip irrigation for planter areas; and flow reducers to mitigate broken heads.

### **E. Pool, Spa, and Fountain Discharges**

- 1) Swimming pools, spas and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.

### **F. Food Service Equipment Cleaning**

- 1) Food service facilities shall install a sink or have a designate area for cleaning floor mats, containers and equipment connected to the grease removal device and large enough to clean the largest mat or piece of equipment.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **G. Food Service Dumpster Areas**

- 1) Food service facilities shall have a covered and enclosed area for their dumpster which prevents water run-on to the area and runoff from the area. If there is a drain installed beneath the dumpster, it shall be connected to a grease removal device.

### **H. Outdoor Vehicle and Equipment Maintenance Areas**

- 1) Outdoor vehicle and equipment maintenance areas shall be designed to prevent run-on to and runoff of spills by all of the following: paving the area with concrete or other nonpermeable surface; covering the area; and sloping the area inward or installing a berm or curb around its perimeter.
- 2) Process equipment areas shall drain to the sanitary sewer system. The applicant shall contact the local permitting authority and/or sanitary district with jurisdiction for specific connection and discharge requirements.

### **I. Outdoor Equipment/Materials Storage**

- 1) Outdoor unprotected areas used for the storage or stockpiling of raw materials, products or equipment which can contaminate storm water runoff through leaking breaking down, increasing particulate or sediment runoff, or dissolving in storm water shall be designed to prevent the run-on of storm water and the runoff of spills. This shall be accomplished by: paving the area with concrete or other nonpermeable surface; covering the area; and sloping the area inward or installing a berm or curb around its perimeter.
- 2) All hazardous materials and wastes, as regulated by Chapter 24 of the Mountain View City Code, must be used and stored in compliance with the permitted facility's Hazardous Materials Management Plan issued by the City's Fire and Environmental Compliance Division of the Fire Department.
- 3) High erosion areas (areas paved with loose sand/gravel, areas used for storage of high sediment-producing materials such as rock or sand, or areas designated for high traffic or heavy equipment traffic) shall be designed to prevent the run-on of storm water and runoff of spills by one of the following: covering the area and either sloping the area inward or providing a berm around its perimeter; or retrofitting the area with a treatment system to intercept and remove sediments from runoff. There shall be no storm drains in the area.



## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **J. Vehicle/Equipment Washing**

- 1) Outdoor vehicle/equipment washing areas shall be designed to prevent the run-on of storm water and the runoff of spills by all of the following: paving the area with concrete or other nonpermeable surface; sloping the area inward or installing a berm or curb around its perimeter; and discharging the wash water to an approved wastewater treatment system connected to the sanitary sewer. Treatment systems connected to the sanitary sewer require a wastewater discharge permit.

### **K. Vehicle/Equipment Repair and Maintenance**

- 1) Outdoor equipment or vehicle maintenance areas shall be designed to prevent the run-on of storm water and the runoff of spills by all of the following: paving the area with concrete or other nonpermeable surface; covering the area; and sloping the area inward or installing a berm or curb around its perimeter.
- 2) Tanks, containers or sinks used for parts cleaning or rinsing shall not be connected to the storm drain system. Tanks, containers or sinks used for such purposes may only be connected to the sanitary sewer system if allowed by an industrial waste discharge permit. The applicant shall contact the local permitting authority and/or sanitary district with jurisdiction for specific connection and discharge requirements.

### **L. Fuel Dispensing Areas**

- 1) Vehicle or equipment fueling facilities shall be designed to prevent the run-on of storm water and runoff of spills by all of the following: paving the area with concrete or other nonpermeable surface; covering the area and extending the cover at least 10 feet beyond the fuel pumps in the directions of vehicle or equipment access or egress; sloping the area inward (negative slope) or installing a berm or curb around its perimeter; and roof drainage shall be directed outside of the fueling pad area located underneath the canopy. No roof drainage shall flow across the covered fueling pad area. There shall be no storm drains in the fueling area.

### **M. Loading Docks**

- 1) Loading docks used for hazardous materials or hazardous waste shipping/receiving shall be designed to prevent the run-on of storm water and runoff of spills by all of the following: paving the dock with concrete or other nonpermeable surface; covering the dock or installing a rain sensor which automatically opens a storm drain in the dock area;

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

and sloping the dock inward (negative slope) or installing a berm or curb around its perimeter.

### **N. Fire Sprinkler Test Water**

- 1) New buildings, which are sprinklered, shall be provided with a sanitary sewer drain in a protected area which can accept sprinkler water discharged during sprinkler system draining or activation of the inspector test valve.

### **O. Multi-level Parking Garages**

- 1) Parking garage floor drains on interior levels shall be connected to an approved wastewater treatment system having a minimum capacity of 100 gallons and discharging to the sanitary sewer.

### **P. Spill Control Equipment**

- 1) Spill prevention and clean-up equipment shall be kept in stock as all times.

## **REFERENCES**

- Mountain View City Code, Chapter 24
- Mountain View City Code, Chapter 35;
- City of Mountain View standard conditions;
- Plan Check Requirements for: Storm Drain/Sanitary Sewer Discharges;
- Plan Check Requirements for: Installation or Upgrade of Hazardous Materials Storage or Use Areas.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **Attachment 5 STANDARD OPERATING PROCEDURES**

This section presents the standard operating procedures (SOPs) that the City of Mountain View use for implementation of the performance standard, and identifies the division(s) within the City that are responsible for their implementation.

#### **Performance Standard #1: Legal Authority**

The City of Mountain View has adequate legal authority to implement new development and redevelopment requirements as part of its development review process, and plan review and approval procedures.

##### **Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Community Development Department  
City Attorney

##### **Standard Operating Procedure:**

The legal authority used by the City to implement these performance standards is described in the "Legal Authority to Implement" section of this document.

#### **Performance Standard #2: Information and Guidance Materials for Developers**

Developers are provided with information and guidance materials on site design guidelines, building permit requirements, and BMPs for storm water pollution prevention early in the application process, as appropriate for the type of project and location.

##### **Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Community Development Department  
Public Works Department

##### **Standard Operating Procedure:**

Information is provided to developers to comply with all storm water pollution prevention aspects of a project, including sediment and erosion control requirements, site design requirements, source control requirements, and treatment control requirements. Information and guidance is provided at the following stages of the project application process:

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

- During the pre-application stage, information is provided regarding the storm water requirements. Information provided includes NOI requirements, and treatment control requirements, if applicable. A Notice to Contractors fact sheet about treatment control requirements and an Impervious Surface Calculation Form is distributed to inform developers about the treatment control (Provision C.3) requirements, and to help determine if the requirements apply to the project. “Storm Water Quality Guidelines for Development Projects” are also provided to developers when storm water treatment controls apply. CEQA Initial Study check sheet information is also provided to developers at this stage of the process.
- During the development review process, specific storm water conditions of approval are placed on projects. These conditions list specific project requirements, and some refer developers to specific guidelines, plan check sheets, and BMP documents. Environmental review documents are also evaluated at this stage of the process.
- During the building plan review process, additional information may be provided to applicants to ensure that the plans include storm water requirements.
- After building plans are approved, and construction begins, the Fire and Environmental Protection Division conducts on-site inspections to ensure the project complies with sediment and erosion control requirements, and permanent storm water control requirements. BMP information and guidance may be provided during the inspection process.
- Final construction inspections are conducted by the Fire and Environmental Protection Division to ensure that required controls are installed and operation and maintenance procedures are established. Information regarding long-term inspection, operation and maintenance, and possible permitting requirements is provided during the final inspection phase of the project.

A list of information distributed to project applicants is included in the Appendix of this document.

### **Performance Standard #3: Environmental Review**

Environmental documents required for those projects that fall under CEQA or NEPA review address both significant and cumulative storm water quality impacts during the life of the project, and relevant permit requirements. These documents include EIRs, negative declarations, and initial study checklists.

Responsible Department/Division:  
Community Development Department

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **Standard Operating Procedure:**

CEQA review is conducted by the City's Community Development Department. A list of items addressing storm water quality impacts from the City's CEQA check list is attached in the appendix.

### **Performance Standard #4: Source Control and Site Design Measures for all Projects**

All projects subject to development review and approval procedures are encourage by the City to consider incorporating appropriate source control and site design measures that minimize storm water pollutant discharges to the maximum extent practicable.

### **Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Community Development Department  
Public Works Department

### **Standard Operating Procedure:**

The source control measures listed in Attachment 4 of this document are required, as appropriate, during the development and plan review process. Site design measures will also be encouraged during the development and plan review process. Examples of site design measures that will be encouraged include disconnecting roof drain downspouts, and using permeable paving materials, such as pavers.

### **Performance Standard #5: Storm Water Treatment Control Requirements**

Developers of Group 1 projects are required to design and implement storm water control measures to the maximum extent practicable. These projects will include the following: site design measures to minimize impervious surface; source controls; and storm water treatment controls designed in accordance with numeric design criteria. Increases in peak runoff flow and volume will be managed, where applicable, using guidance in the SCVURPPP Hydrograph Modification Plan (HMP), following it's approval by the Regional Board.

### **Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Community Development Department  
Public Works Department

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### Standard Operating Procedure:

The City requires storm water controls at applicable projects. The City's existing development and plan review process is used to require the storm water control. The City's development and plan review process is summarized below:

- **Preparing an application:** this is the information gathering phase of the process. At this point, applicants are notified of the storm water treatment requirements, and are referred to the Fire and Environmental Protection Division for further information. An impervious surface calculation sheet may also be used at this point, if planners and the applicant are unsure if the treatment control requirements apply. Environmental review documents are provided to developers at this stage of the process.
- **Application submittal and project review:** the application is submitted and evaluated for completeness by the Community Development Department (Planning Division). If the application is complete, project documents are routed by the Community Development Department (Planning Division) to other City departments. The Fire Department (Fire and Environmental Protection Division) reviews the project documents for storm water control requirements and places Conditions of Approval on the project. The conditions of approval notify the Community Development Department (Planning Division) of the requirements that will need to be included in the project "Findings Report."
- **Environmental review:** for some projects, a part of the project review process also involves CEQA environmental review. Applicants complete an Initial Study (Environmental Impact Assessment), which is prepared in compliance with CEQA. The initial study is reviewed through a public hearing process.
- **Decision and appeal:** after the City departments have reviewed the project, it is evaluated through a public hearing process. Projects go through the Zoning Administrator's public hearing, and some projects may go through a Development Review Committee hearing and/or a City Council hearing. Applicants have the right to appeal decisions made by the City. When the project is approved, a "Findings Report" is issued to the applicant. The Findings Report lists the requirements that must be addressed in the building plans, including storm water controls.
- **Plan review:** after the findings report is issued and the appeal period ends, applicants may apply for building permits. Applicants submit building plans to the Community Development Department (Building Division), which are routed to other City departments for review and approval. The Fire Department (Fire and Environmental Protection Division) reviews the plans for storm water control

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

requirements, which were listed in the Findings Report. If the plans adequately address the requirements, the project is approved and a Building Permit is issued. If plans do not adequately address the requirements, they are disapproved and must be re-submitted and reviewed again until the requirements are satisfied. Plan submittals that include certification of compliance with the requirements, including the sizing criteria, will be approved with a less stringent level of review. Certifications must be completed by qualified, third-party experts.

A copy of the City's Development Project Review Process Flow Chart is attached in the appendix

### **Performance Standard #6: State General Permit for Construction Activity**

The City requires developers of projects that disturb a land area of one (1) acre or more to demonstrate coverage under the State General Construction Activity Storm Water Permit.

**Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Community Development Department  
Public Works Department

**Standard Operating Procedure:**

During the development review process, standard condition ES-22 is placed on projects that disturb one (1) acre or more of land. Standard condition ES-22 requires developers to prepare a Notice of Intent (NOI) and Storm Water Pollution Prevention Program (SWPPP). Proof of coverage under the State Construction Activity Storm Water Permit is required to be submitted with the building plans.

### **Performance Standard #7: Erosion and Sediment Control**

The City requires developers of projects with potential for significant erosion and planned construction activity during the wet season to prepare and implement an effective sediment and erosion control plan.

**Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Community Development Department  
Public Works Department

**Standard Operating Procedure:**

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

During the development review process, standard condition ES-24 is placed on projects with potential for erosion and planned construction activity during the wet season. Standard condition ES-24 requires developers to prepare a sediment and erosion control plan. The sediment and erosion control plan is required to be submitted with the building plans. The wet season is defined as the period from October 15 through April 15.

### **Performance Standard #8: Operation and Maintenance Verification**

The City implements an operation and maintenance (O&M) verification program that includes: maintaining a list of responsible operators for all storm water treatment controls measures; annually inspecting a subset of prioritized treatment measures; and requiring legally enforceable agreements or other mechanisms assigning responsibility for O&M of treatment measures.

#### **Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Community Development Department

#### **Standard Operating Procedure:**

The Fire and Environmental Protection Division of the Fire Department conducts final inspection duties of required storm water control requirements, including storm water treatment control measures. Once the project is completed, the Fire and Environmental Protection Division gathers contact information and maintains a database of facilities with storm water treatment controls for purposes of requiring and tracking maintenance activities.

The City will require that maintenance agreements be completed for projects with storm water treatment controls prior to releasing the building for occupancy. Furthermore, the Fire and Environmental Protection Division will require submittal of an Environmental Compliance Plan (ECP) for facilities with storm water treatment control measures. The Fire and Environmental Protection Division is also considering issuing permits for these controls. The ECP and permit will establish inspection and maintenance requirements.

### **Performance Standard #9: Capital Improvement Projects**

Municipal capital improvement projects will include storm water quality control measures during and after construction, as appropriate for each project. The City will also ensure that contractors comply with storm water quality control requirements during construction and maintenance activities.



## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

**Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Public Works Department

**Standard Operating Procedure:**

During-construction storm water control measures are required on capital improvement projects where there is a potential for pollutant releases. These controls are required in the Public Works Department's Standard Provisions, and in project-specific documents, such as contracts. The Public Works Department also completes NOI and SWPPP requirements for projects that will disturb greater than 1 acre of land. Inspectors from the Public Works Department and the Fire and Environmental Protection Division inspect capital improvement project sites for compliance with during construction storm water pollution control requirements.

Storm water treatment controls will be required by the Public Works Department on appropriate City capital improvement projects. These controls are required as part of the project's scope of work, and are reviewed during the design phase of the project. The Fire and Environmental Protection Division may also review these projects.

### **Performance Standard #10: Training Requirements**

The City trains Community Development and Public Works staff on planning procedures, policies, design guidelines, and BMPs for storm water pollution prevention at least annually.

**Responsible Department/Division:**

Fire Department, Fire and Environmental Protection Division  
Community Development Department  
City Attorney

**Standard Operating Procedure:**

The City provides training to Community Development Department and Public Works Department staff through participation in regional training workshops and in-house training meetings.

## **Performance Standard and Supporting Documents for Planning Procedures for New Development and Redevelopment**

### **Attachment 6 REPORTING REQUIREMENTS**

The City of Mountain View will demonstrate implementation of this Performance Standard by providing in their annual reports the information described below (C.3.n.).

- The name or other identifier, type of project, site acreage or square footage, and square footage of new impervious surface on all new development and significant redevelopment projects which meet the Group 1 definitions of C.3.c.<sup>4</sup> For significant redevelopment projects, the square footage of land disturbance will be reported.
- The treatment BMPs used and numeric sizing criteria employed, the operation and maintenance responsibility mechanism including the responsible party, site design measures used, and source control measures required for projects that must implement treatment measures.
- A summary of the types of pesticide reduction measures required for those new development and significant redevelopment projects to be addressed under C.3.c and the percentage of such new development and significant redevelopment projects for which pesticide reduction measures were required.

*City of Mountain View*

***Reporting Form for Planning Procedures Performance Standard  
and Provision C.3.n.i. Reporting Requirements***

**Part 1**

**Group 1 New Development and Significant Redevelopment Projects<sup>5</sup>  
Reviewed and/or Approved During \_\_\_\_\_**

Project Name	Project Type <sup>6</sup>	Site Size (ac. or s.f.)	New Impervious Surface (s.f.) <sup>7</sup>	Area of Land Disturbed (Ac.) <sup>8</sup>	Project Status	Storm Water Control Measures Included in Project
<b>Private Projects</b>						
<b>Public Projects</b>						

<sup>5</sup> List all projects with new impervious surface area greater than 1 acre (43,560 s.f.).

<sup>6</sup> Describe project type, as defined in Provision C.3.c.

<sup>7</sup> "New" is defined as impervious surface created, added or replaced.

<sup>8</sup> If the site is a "significant redevelopment", list the area of land disturbance, if information is readily available.

*City of Mountain View*  
**Reporting Form for Planning Procedures Performance Standard  
 and Provision C.3.n.ii. & iii. Reporting Requirements**

**Part 2**

**Stormwater Control Measures for Group 1 Projects<sup>9</sup>  
 Reviewed and/or Approved During FY \_\_\_\_\_**

Project Name	Treatment BMPs	Numeric Sizing Criteria Used	O&M Responsibility Mechanism and Responsible Party	Site Design Measures	Source Control Measures	Pesticide Reduction Measures
<b>Private Projects</b>						
<b>Public Projects</b>						

<sup>9</sup> Beginning October 15, 2003, list all\* projects with new impervious surface area greater than 43,560 s.f. (1 acre). See SCVURPP "C.3. Handbook: Guidance for Implementation of Stormwater Requirements for New and Redevelopment Projects".

\*Projects that do not require stormwater treatment because they fall under the Alternative Compliance Program must be reported as per Provision C.3.g.v. (see Reporting Form Part 3).

**ATTACHMENT6**

City of Mountain View  
*Reporting Form for Planning Procedures Performance Standard  
 and Provision C.3.g.v. Reporting Requirements*

**Part 3**

*Alternative Compliance/Waiver Program Projects  
 Reviewed and/or Approved During FY \_\_\_\_\_*

Project Name and Location	Project Type	Final Percent Impervious Surface	Reasons for Allowing Alternative Compliance	Alternative Compliance Terms	Project Receiving Benefit (Date of Completion)
<b>Private Projects</b>					
<b>Public Projects</b>					

## The City of Mountain View General Plan

(Excerpts relating to the "Planning Procedures" performance standard)

### **Goal D--Preserve open space for future generations.**

**Zoning.** Zoning and General Plan designations are among the most effective ways to preserve open space. California law requires cities to adopt an open space zoning ordinance to carry out general plan policies. Mountain View has adopted the Agricultural District to preserve land for agricultural use, the Open Space Commercial District and the Public Facilities District to encourage recreational and cultural uses and to preserve open space, and the Flood Plain District to protect people and property improvements from floods and other hazards.

#### **Policy 11. Protect designated public open spaces from redevelopment.**

*Action 11.a.* Evaluate the potential of designating certain Shoreline Boulevard properties near Downtown for open space.

*Action 11.b.* Use the Public Facilities zoning district to preserve school district playgrounds in open space and worked with other jurisdictions to achieve this objective.

*Action 11.c.* Use the Flood Plain district to preserve open space lands and to protect people and buildings from flood hazards.

### **Goal F--Manage the City's water resources to supply urban uses and protect the environment.**

**Storm Water Quality.** Storm water is rain that does not seep into the ground but flows overland into storm drains and then into creeks and to San Francisco Bay. It may contain a variety of "non-point source" pollutants including heavy metals, oil, grease, household chemicals, pesticides, fertilizers, and eroded soil. These pollutants are washed from streets, construction sites, parking lots, and other exposed surfaces, unlike pollutants that come from "point sources" such as sewer pipes or industrial outflows. The federal Environmental Protection Agency has identified contaminants in storm water runoff as the leading cause of water pollution in the United States.

In Mountain View, storm water flows directly into Stevens Creek, Hale Creek, Permanente Creek, and Adobe Creek. From there, it enters the marshlands at Shoreline and South San Francisco Bay. The City is dealing with the storm water pollution problem by enforcing restrictions on littering, increasing its storm drain cleaning and street sweeping programs, education people about the proper disposal of household hazardous wastes, and increasing storm system inspections on commercial and industrial properties. In addition, the State has recently issued a National Pollutant Discharge Elimination System permit to all cities and agencies that drain into South San Francisco Bay, requiring them to develop and carry out comprehensive storm water management programs.

#### **Policy 16. Establish pollution control measures that keep pollutants from entering Mountain View's storm drain system to protect the city's surface water resources.**

*Action 16.a* Carry out the Santa Clara Valley Non-Point Source Pollution Control Program. The Santa Clara Valley Non-Point Source Pollution Control Program involves 13 cities in the Santa Clara Valley, the Santa Clara Valley Water District, and Santa Clara County

that contribute runoff into South San Francisco Bay. The program's mission is to develop and administer a storm water management plan that controls water-borne pollutants at their source.

*Action 16.b* Use "best management practices" in new projects to prevent storm water from becoming contaminated.

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### **Best Management Practices**

"Best management practices" are actions taken to control the use of pollutants and prevent them from being discharged into the environment. Best management practices include engineered solutions, good housekeeping, and behavioral modification.

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*Action 16.c* Look into technologies to separate and remove pollutants from the storm sewer system and use them if appropriate.

*Action 16.d* Revise local ordinances and, if necessary, develop new ordinances to limit non-point source pollution.

### **Solid Waste**

Solid waste is any unwanted or discarded material that is not a liquid or a gas. Common solid wastes are paper products, metals, glass, plastics, cloth, food scraps, rock, soil, yard waste, and wood. In Mountain View, businesses generate 65 percent of the waste and households generate 35 percent. Much of this material is recyclable.

Since the early 1930s, Mountain View has disposed of its solid waste in three landfills north of U.S. 101, the Bayshore Freeway. The oldest and largest landfill, a 544-acre parcel, was closed in 1980 and has been redeveloped into the Shoreline Regional Recreation and Wildlife Preserve. The second-largest site is the 150-acre Vista Slope Landfill, west of Shoreline Boulevard. The site opened in 1980 and accepts privately hauled refuse. The smallest landfill is the 70-acre Crittenden Site, north of Crittenden Lane. It operated from 1968 to 1988 and was inactive but unclosed as of 1992. Eventually, the City would like to close all its landfills, and is exploring possible future uses for them through the North Bayshore Advisory Committee Study. These landfill sites will continue to be carefully monitored under regulations of the Integrated Solid Waste Management Board, the Regional Water Quality Control Board, and the Bay Area Air Quality Management District.

Mountain View contracts with the Foothill Disposal Company for refuse collection, disposal, and residential recycling. Through June 1993, this waste is deposited in the Newby Island Landfill in north San Jose. To meet landfill needs after mid-1993, Mountain View, Sunnyvale, and Palo Alto contracted jointly for 30 years of capacity at the Kirby Canyon Sanitary Landfill in south San Jose. A materials recovery facility and transfer station is planned in Sunnyvale to remove, process, and market recyclable materials. Recyclable materials include cardboard, metals, paper, tires, glass, wood, yard waste, plastic and large appliances. Non-recoverable solid waste will be compacted and transported to Kirby Canyon. Reducing the amount of landfill waste by recycling materials will allow the Kirby Canyon site to be used for the full 30 years.

## **Goal G--Reduce the amount of solid waste generated in Mountain View.**

**Waste Reduction.** California has a growing waste-management problem. People in Mountain View throw away an average of 8.2 pounds of solid waste every day, more than the statewide average of seven pounds, the New York average of five pounds, and the national average of 3.5 pounds. Mountain View has a larger commercial and industrial base than most cities, which pushes up its per-person figure on solid waste. It's no surprise that California's landfills are rapidly filling up and that it's difficult to build new ones near cities. In response, the State Legislature passed the California Integrated Solid Waste Management Act in 1989. The Act requires the waste disposed in landfills to be reduced by 25 percent by 1992 and by 50 percent by 2000. The law also requires cities to adopt Source Reduction and Recycling Plans that specify how they will achieve the waste reduction goals. Mountain View's Source Reduction Program, drafted in 1991, expects to achieve a 25 percent waste reduction by 1995 and a 50.1 percent reduction by 2000.

**Policy 20** Promote waste reduction methods throughout the city.

*Action 20.a* Carry out the City's Source Reduction and Recycling Plan

*Action 20.b* Prepare and distribute pamphlets that educate Mountain View residents about reducing household wastes.

*Action 20.c* Give preference for City purchases to buying products that minimize packaging and can be reused.

*Action 20.d* Assist local business in developing strategies to manufacture, package, and consume commercial products with less waste.

## **Goal H--Protect and preserve soil as a natural resource.**

**Soil Erosion.** Soils are removed from their original location and transported by wind, water, and gravity during erosion. Soils settle and accumulate in a particular location during sedimentation. Erosion and sedimentation are natural processes that can speed up when grading and other construction work are done, especially when the work is done near creeks or during the rainy season. Erosion causes the loss of fertile topsoil, carves deep ruts and gullies, and fills in creeks and marshlands. Plants shield the soil and bind it together, helping to prevent erosion. Mountain View's gently sloping terrain and use of erosion-control measures in the creeks significantly reduce erosion problems, but the City still recognizes that it is important to use proper grading and construction techniques to prevent soil erosion.

**Policy 22. Encourage soil stabilization measures that prevent soil erosion and sedimentation.**

*Action 22.a* Protect and preserve existing plant communities next to creeks to help prevent erosion.

*Action 22.b* Amend the Weed Abatement Ordinance to maintain native plant communities on large tracts of vacant land.

*Action 22.c* Protect and preserve existing plant communities as appropriate to prevent loss of soil on construction sites.



*Action 22.d* Include collection and redistribution of top soil on construction sites as a soil conservation measure.

**Soil Contamination.** Soils are contaminated when chemicals or other pollutants are improperly released and the soil becomes toxic or harmful to plants, animals, and people. Chemical pesticides and herbicides used in agriculture and leaks from underground storage tanks into surrounding soils have contaminated soils in Mountain View. Contamination from storage tanks, which has been mostly limited to gas stations and industrial properties, is much less widespread than agricultural contamination. This is because agriculture was Mountain View's main industry before World War II and production relied heavily on chemicals such as DDT. As a result, Mountain View requires a soil analysis before it approves sensitive land uses such as housing or day care.

**Policy 23.** Ensure the proper use, storage, and disposal of toxic chemicals to prevent soil contamination.

*Action 23.a* Continue to enforce the City's Hazardous Materials Storage Ordinance

*Action 23.b* Continue to enforce the City's Toxic Gas Ordinance.

There is a more detailed discussion on chemical management practices and more Actions in the Hazardous Materials Section of the Public Safety Element.

*Action 23.c* Reduce the use of herbicides and pesticides on City-owned properties to the extent possible.

*Action 23.d* Educate residents and businesses on ways to reduce the use of herbicides and pesticides on their property.

# PROJECT REVIEW PROCESS

PREPARING AN APPLICATION

Obtain copies of applicable Zoning Ordinance regulations and talk to Planning Staff

SUBMITTING AN APPLICATION

Submit application

0 to 30 days

If application is incomplete, prepare additional materials

Application complete

PROJECT REVIEW

**PROJECT REVIEW**  
Project Planner analyzes project, distributes to other City departments for comments, sends out public notices if required.

2 to 3 Weeks

DRC Hearing

Zoning Administrator Hearing

May refer to DRC for comments

DECISION

Project Decision

Continued for Revisions, Prepare Revised Drawings and Resubmit

Project Approved

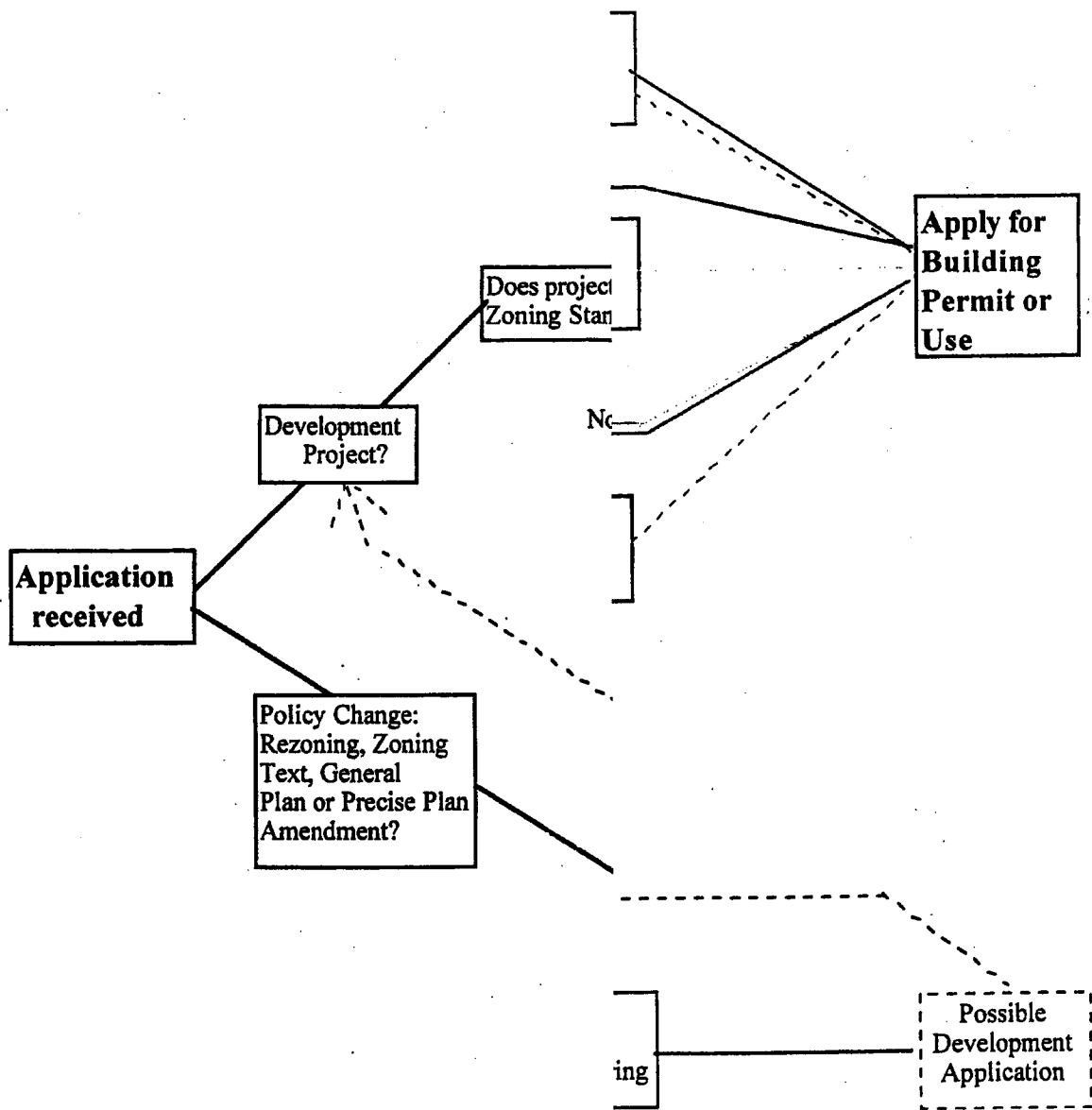
2 to 3 Weeks

APPEAL PERIOD

Receive Findings Report

10 days

Appeal Period Ends—Applicant may apply for Building Permits





**INITIAL STUDY  
(ENVIRONMENTAL IMPACT ASSESSMENT)**

*Insert Title*

*Insert Date*

**Prepared For:**

City of Mountain View  
Community Development Department  
500 Castro Street  
Post Office Box 7540  
Mountain View, California 94039-7540  
(650) 903-6306  
Contact: *Insert Planning Contact*

*This statement is prepared in compliance with the California Environmental Quality Act*

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**F. HYDROLOGY AND WATER QUALITY**

<b>Will the proposed project result in the following environmental effects?</b>	<b>No Impact</b>	<b>Less Than Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Potentially Significant Impact</b>	<b>Data Sources</b>
1. <b>Violate any water quality standards or waste discharge requirements?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24
2. <b>Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24
3. <b>Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24
4. <b>Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24
5. <b>Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24
6. <b>Otherwise substantially degrade storm-water quality during the life of the project?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24
7. <b>Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24

8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21,22,23,24
10. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23

**F.1:**

**F.2:**

**F.3:**

**F.4:**

**F.5:**

**Finding.**

**G. GEOLOGY & SOILS**

<b>Will the proposed project result in the following environmental effects?</b>	<b>No Impact</b>	<b>Less Than Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Potentially Significant Impact</b>	<b>Data Sources</b>
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,23
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,23
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,23
ii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,23
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,23
2. <b>Result in substantial soil erosion or the loss of topsoil?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,23

- |    |   |                          |                          |                          |                          |        |
|----|---|--------------------------|--------------------------|--------------------------|--------------------------|--------|
| 3. | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,23 |
| 4. | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,23 |
| 5. | Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,23 |

G.1:

G.2:

G.3:

G.4:

G.5:

**Finding.**

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**H. BIOLOGY**

Will the proposed project result in the following environmental effects?	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact	Data Sources
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,15,23
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,15,23



- |  |                          |                          |                          |                          |         |
|--|--------------------------|--------------------------|--------------------------|--------------------------|---------|
| 3. Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2,15,23 |
| 4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2,15,23 |
| 5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2,15,23 |
| 6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2,15,23 |

H.1:

H.2:

H.3:

H.4:

**Finding.**

## K. UTILITIES AND SERVICE SYSTEMS

Will the proposed project result in the following environmental effects?	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact	Data Sources
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,15
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,15
3. <b>Require or result in the construction</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>1,15</b>

**of new storm water drainage facilities  
or expansion of existing facilities,  
the construction of which could  
cause significant environmental effects?**

- |    |  |                          |                          |                          |                          |      |
|----|--|--------------------------|--------------------------|--------------------------|--------------------------|------|
| 4. | Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,15 |
| 5. | Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,15 |
| 6. | Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,15 |
| 7. | Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,15 |

**K.1:**

**K.2:**

**K.3:**

**K.4:**

**K.5:**

**Finding.**

**CITY OF MOUNTAIN VIEW  
COMMUNITY DEVELOPMENT DEPARTMENT  
STORM WATER QUALITY GUIDELINES FOR  
DEVELOPMENT PROJECTS CREATING MORE THAN  
ONE ACRE OF IMPERVIOUS SURFACE**

**I. Introduction**

Beginning October 15, 2003, Mountain View and 14 other public agencies in Santa Clara County are required by the San Francisco Regional Water Quality Control Board to place additional conditions of approval related to storm water quality control on certain development projects. These projects consist generally of those creating or replacing one (1) acre or more of impervious surface, including roof areas and pavement.

The purpose of this document is to assist development applicants in complying with these storm water quality requirements. These guidelines include information on:

- A. Which projects need a Storm Water Management Plan;
- B. Design and selection of Best Management Practices (BMP);
- C. Storm Water Management Plan requirements;
- D. BMP operation and maintenance responsibilities; and
- E. BMP inspection and reporting.

A list of definitions is provided at the end of this document.

**II. Projects Requiring Storm Water Pollution Prevention Measures**

- A. New commercial, industrial or residential development projects creating one acre (43,560 square feet) or more of impervious surface, including roof area, streets and sidewalks, shall include permanent BMPs sufficient to reduce the water quality impacts of storm water runoff from the entire project site for the life of the project unless exempt according to Section IV of these Guidelines.
- B. A development project on a previously developed site resulting in the addition of or the replacement of or the combined total of addition and

replacement of **one acre (43,560 square feet) or more** of impervious surfaces, including roof area and pavement, is classified as a Significant Redevelopment Project and shall include permanent BMPs sufficient to reduce water quality impacts of storm water runoff from the project site unless exempt according to Section IV of these Guidelines. To determine what portions of the site are subject to BMPs, consider the following:

1. If the new or replaced or the combined total of new and replaced impervious surface is **less than or equal to** 50 percent of the existing impervious surfaces, the project shall include permanent BMPs sufficient to reduce water quality impacts of storm water runoff from only the new and replaced impervious surfaces for the life of the project.
  2. If the new or replaced or the combined total of new and replaced impervious surface is **greater than** 50 percent of the existing impervious surfaces, and the existing development was not subject to storm water treatment measures, then the project shall include permanent BMPs sufficient to reduce water quality impacts of storm water runoff from the entire project site for the life of the project. If the existing development was subject to storm water treatment measures, then the project shall include permanent BMPs sufficient to reduce water quality impacts of storm water runoff for only the combined total of new and replaced impervious surface for the life of the project.
- C. If a development or redevelopment project is exempt according to Section IV of these Guidelines at a minimum, the project shall include standard BMPs as amended from time to time.
- D. No final building or occupancy permit will be issued without the written certification of the Community Development Department Director that the storm water quality conditions of approval for the development have been satisfied.

### **III. Design and Selection of Best Management Practices**

- A. Storm water quality Best Management Practices shall be selected and designed to the satisfaction of the Community Development Director in accordance with the requirements contained in the most recent versions of the following documents:
1. SCVURPPP—C.3 Handbook;

2. NPDES Municipal Storm Water Discharge Permit issued to the City of Mountain View by the California Regional Water Quality Control Board, San Francisco Bay Region;
  3. California BMP Handbooks;
  4. "Start at the Source" Design Guidance Manual; and
  5. Bay Area Storm Water Management Agencies Association "Using Site Design Standards to Meet Development Standards for Storm Water Quality—A Companion Document to *Start at the Source*."
- B. Numeric sizing criteria used to design storm water pollutant removal treatment systems shall be in accordance with the City's current NPDES Municipal Storm Water Discharge Permit.
1. Treatment systems depending on volume capacity, such as detention/retention units or infiltration structures, shall be designed to treat storm water runoff equal to:
    - a. The maximized storm water quality capture volume for the area, based on historical rainfall records, determined using the formula and volume capture coefficients set forth in *Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87* (1998), Pages 175-178 (e.g., approximately the 85th percentile 24-hour storm runoff event); or
    - b. The volume of annual runoff required to achieve 80 percent or more capture, determined in accordance with the methodology set forth in Appendix D of the *California Storm Water Best Management Practices Handbook for New Development and Redevelopment* (2003), using local rainfall data.
  2. Treatment BMPs whose primary mode of action depends on flow capacity, such as swales, sand filters or wetlands, shall be sized to treat:
    - a. 10 percent of the 50-year peak flow rate; or
    - b. The flow of runoff produced by rain equal to at least two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall; or

- c. The flow of runoff resulting from rain equal to at least 0.2 inches-per-hour intensity.

#### **IV. Storm Water Management Plan Required**

##### **A. Development Permit Application Requirements**

1. All projects defined in Section II.
2. Land development activities that are smaller than the minimum applicability criteria set forth in Items 1 and 2 above, if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.

##### **B. Building Permit Requirements**

No building, grading or erosion and sediment control permits shall be issued until the Storm Water Management Plan has been reviewed and approved by the Community Development Director.

##### **C. Exemptions\***

The following are exempt from the City of Mountain View Storm Water Management Plan requirements. Exempt project must incorporate applicable:

1. New single-family or duplex homes. Standard BMPs as required by Chapter 35 of Mountain View City Code as amended from time to time and the BMPs matrix for development projects, as attached.
2. New PUD developments, condominium, townhouse and apartment projects on less than one acre with 16 or less units.
3. New PUD developments, condominium, townhouse and apartment projects on less than one acre with more than 16 units.

\*PUD, condominium, townhouse and apartment unit standard BMPs are based on a requirement for .5 parking spaces per unit.

#### **V. Storm Water Management Plan Contents**

The development permit applicant is responsible for submitting a Storm Water Management Plan that meets the design requirements of the City of Mountain

View Storm Water Quality Control Guidance Manual. The plan shall include sufficient information to evaluate the environmental characteristics of affected areas, the potential impacts of the proposed development on water resources and the effectiveness and acceptability of measures proposed for managing storm water runoff. The minimum information submitted for support of a Storm Water Management Plan shall be as follows:

1. Common address, parcel number and legal description of the site;
2. Contact information for all persons having a legal interest in the property;
3. Vicinity map;
4. A brief narrative description of the project;
5. Geotechnical investigations including soil maps, borings, site-specific recommendations and any additional information necessary for the proposed storm water management design;
6. Data for total site area, disturbed area, new and/or replaced impervious surface area and total impervious surface area;
7. Topographic survey information showing existing and proposed contours, including all areas necessary for the post-development hydraulic analyses of proposed storm water management facilities;
8. A list of all storm water management facilities and practices to be employed at the site;
9. Numeric BMP sizing criteria computations according to the SCVURPPP "Guidance for Implementing Storm Water Regulations for New and Redevelopment Projects";
10. Structural and construction details for all components of the proposed drainage system or systems and storm water management facilities;
11. Landscaping plan showing disposition of existing vegetation and any vegetative site stabilization and/or landscape-based storm water management measures;
12. A list of any regular on-site cleaning activities to be used as storm water pollutant source controls (e.g., pavement sweeping) and the schedules for these cleaning activities;

13. Cost estimates for all proposed on-site storm water treatment facilities;
14. BMP operation and maintenance procedures, including maintenance tasks, inspection and maintenance schedule, the parties responsible for BMP operation and maintenance, funding mechanisms for ongoing operation and maintenance and access and safety issues;
15. Certification by the owner/developer that all storm water management construction will be done according to this Storm Water Management Plan;
16. An as-built certification signature block to be executed by the responsible registered civil engineer after project completion; and
17. Any other information as may be required by the Community Development Director.

**VI. Preparation of the Storm Water Management Plan**

- A. The Storm Water Management Plan shall be prepared under the direction of a professional civil engineer registered in the State of California. The responsible professional civil engineer shall stamp and sign the approved Storm Water Management Plan.
- B. The Community Development Director may require a developer to provide a signed certification from the civil engineer responsible for preparing the Storm Water Management Plan that all storm water Best Management Practices have been designed to meet the City's storm water quality requirements. Each certifying civil engineer shall establish to the City's satisfaction that such person has been trained on the design of storm water quality Best Management Practices not more than three (3) years prior to the certification signature date. Qualifying training shall be conducted by an organization with storm water quality management expertise, such as a university, the Bay Area Storm Water Management Agencies Association, the American Society of Civil Engineers, the American Public Works Association or the California Water Environment Association.

**VII. Storm Water BMP Operation and Maintenance Responsibility**

- A. For the life of the project, all on-site storm water management facilities shall be operated and maintained in good condition and promptly repaired by the property owner(s), an Owners or Homeowners Association or other legal entity approved by the City.



- B. Any repairs or restoration and maintenance shall be in accordance with City-approved plans.
- C. The property owner(s) shall develop a maintenance schedule for the life of any storm water management facility and shall describe the maintenance to be completed, the time period for completion and who shall perform the maintenance. This maintenance schedule shall be included with the approved Storm Water Management Plan.

#### **VIII. Storm Water BMP Operation and Maintenance Agreement**

- A. Prior to the issuance of any building permit requiring storm water management BMPs, the owner(s) of the site shall enter into a formal written storm water BMP operation and maintenance agreement with the City. The City shall record this agreement, against the property or properties involved, with the County of Santa Clara and it shall be binding on all subsequent owners of land served by the storm water management treatment BMPs.
- B. The storm water BMP operation and maintenance agreement shall require that the BMPs not be modified and that BMP maintenance activities not alter the designed function of the facility from its original design unless approved by the City prior to the commencement of the proposed modification or maintenance activity.
- C. The storm water BMP operation and maintenance agreement shall provide that in the event that maintenance or repair is neglected or the storm water management facility becomes a danger to public health or safety, the City shall have the authority to perform maintenance and/or repair work and to recover the costs from the owner.
- D. The owner shall provide the City with two signed and notarized copies of the storm water BMP operation and maintenance agreement prior to issuance of building permit.

#### **IX. Storm Water BMP Inspection Responsibility**

- A. The property owner(s) shall be responsible for having all storm water management facilities inspected for condition and function.

B. Unless otherwise required by the City, storm water facility inspections shall be done at least twice per year, once in the fall, in preparation for the wet season, and once in the winter. Written records shall be kept of all inspections and shall include, at minimum, the following information:

1. Site address;
2. Date and time of inspection;
3. Name of the person conducting the inspection;
4. List of storm water facilities inspected;
5. Condition of each storm water facility inspected;
6. Description of any needed maintenance or repairs; and
7. As applicable, the need for site reinspection.

**X. Records of Maintenance and Inspection Activities**

On or before April 1 of each year, the party responsible for the operation and maintenance of on-site storm water management facilities shall provide the City with records of all inspections, maintenance and repairs.

**XI. Failure to Maintain**

- A. If the responsible party fails or refuses to meet the requirements of the storm water BMP operation and maintenance agreement, the City, after thirty (30) days' written notice, may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition.
- B. In the event the City determines that the violation constitutes an immediate danger to public health or public safety, 24 hours' written notice from the City shall be sufficient.
- C. The City may assess the owner(s) of the property for the cost of repair work and any penalties. This may be accomplished by placing a lien on the property, which may be placed on the tax bill for such property and collected in the ordinary manner for such taxes.

**XI. Access for Inspection**

The City shall have access to all on-site storm water treatment facilities for the purpose of inspection and repair. This includes the right to enter a property when the City has a reasonable basis to believe that a violation of the City's Municipal Code is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation.

## DEFINITIONS

1. **APPLICANT.** Any person, firm or governmental agency who executes the necessary forms to procure official approval of a project or a permit to carry out construction of a project.
2. **BEST MANAGEMENT PRACTICE (BMP).** A structural device or nonstructural practice designed to temporarily store and/or treat storm water runoff in order to reduce pollution, mitigate flooding and provide other amenities.
3. **CITY.** All the territory lying within the municipal boundaries of the City of Mountain View.
4. **DEVELOPMENT.** A land development or land development project.
5. **COMMUNITY DEVELOPMENT DIRECTOR.** The Community Development Director and his or her duly authorized agents and representatives.
6. **EXISTING CONDITIONS.** Refers to the conditions that exist on a site before the commencement of a land development project and at the time the City of Mountain View approves plans for the land development of a site. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions are considered those at the time before the first item being approved or permitted.
7. **IMPERVIOUS SURFACE.** A surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.
8. **LAND DEVELOPMENT ACTIVITIES.** Those actions or activities that comprise, facilitate or result in land development.
9. **NEW DEVELOPMENT.** A land development activity on a previously undeveloped site.
10. **NPDES MUNICIPAL STORM WATER DISCHARGE PERMIT.** A National Pollution Discharge Elimination System permit issued to the City of Mountain View by the Regional Water Quality Control Board, San Francisco Bay Region.
11. **NUMERIC BMP SIZING CRITERIA.** Requirements for designing storm water BMPs that are included in the City's NPDES Municipal Storm Water Discharge Permit and more specifically described in the Santa Clara Valley Urban Runoff

Pollution Prevention Program's "Guidance for Implementing Storm Water Regulations for New and Redevelopment Projects."

12. **ON-SITE STORM WATER TREATMENT FACILITY.** A storm water treatment facility located within the boundaries of the site.
13. **OPERATION AND MAINTENANCE AGREEMENT.** A written agreement providing for the long-term operation and maintenance of storm water management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.
14. **OWNER.** The legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.
15. **PERMIT.** The permit issued by the City of Mountain View to the applicant required for undertaking any land development activity.
16. **PERSON.** Any person, firm, association, organization, partnership, business trust, joint venture, corporation or company, and includes the United States, the State of California, the County of Santa Clara, special purpose districts and any officer or agency thereof.
17. **POST-DEVELOPMENT.** Refers to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.
18. **REDEVELOPMENT.** A land development project on a previously developed site, excluding ordinary maintenance activities, interior remodeling of existing buildings, resurfacing of paved areas and exterior changes or improvements which do not materially increase or concentrate storm water runoff or cause additional storm water runoff pollution.
19. **RUNOFF.** Storm water runoff.
20. **RUNON.** Storm water flow entering a specific location from elsewhere on or off the site.
21. **SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM (SCVURPPP).** The Santa Clara Valley Urban Runoff Pollution Prevention Program is an association of 13 cities and towns in the Santa Clara Valley, together with Santa Clara County and the Santa Clara Valley Water

District. Program participants, referred to as copermittees, share a common municipal NPDES permit to discharge storm water to South San Francisco Bay.

22. **SITE.** Any tract, lot or parcel of land or combination of tracts, lots or parcels of land, which are in one ownership or are contiguous and in diverse ownership where a development is to be performed as part of a unit, subdivision or project.
23. **STANDARD BMP.** Required by Chapter 35 of the Mountain View City Code as amended from time to time and the BMP matrix for development projects.
24. **STORM DRAIN.** Any pipe, conduit or sewer of the City designed or used for the disposal of storm and surface waters and drainage including unpolluted cooling water and unpolluted industrial process water but excluding any community sanitary sewer system.
25. **STORM WATER DISCHARGE.** Any discharge from land that results or probably will result in a discharge into watercourses. The discharges represent a process whereby pollutants, debris and chemicals generated from various land uses accumulate on streets, construction sites, parking lots and other exposed surfaces and are washed off and carried away by storm water runoff into watercourses. The major pollutants of concern in these discharges are heavy metals, sediments, petroleum hydrocarbons, organochlorine, pesticides and toxics.
26. **STORM WATER MANAGEMENT.** The collection, conveyance, storage, treatment and disposal of storm water runoff in a manner intended to prevent increased flood damage, stream bank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.
27. **STORM WATER MANAGEMENT FACILITY.** Any infrastructure that controls, treats or conveys storm water runoff.
28. **STORM WATER MANAGEMENT PLAN.** A document describing how existing runoff characteristics will be affected by a land development project and containing measures for mitigating any adverse impacts to water quality.
29. **STORM WATER POLLUTANT SOURCE CONTROL BMPS.** Measures or practices used to control storm water pollution by eliminating contact between rainfall and the potential source of contamination.
30. **STORM WATER POLLUTION PREVENTION PLAN.** A document identifying potential storm water pollutant sources at a construction site, the storm water source control BMPs to be used to reduce these pollutants during and after

construction and a description of required BMP monitoring. Generally applies to construction projects disturbing one or more acres.

31. **STORM WATER RUNOFF.** Water from rain, landscape irrigation or other sources that flows over the land surface without entering the soil.
32. **WASTE.** Sewage and soil from erosion and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including waste placed within containers of whatever nature prior to and for purposes of disposal.
33. **WATER QUALITY IMPACT.** Any deleterious effect on waters or wetlands, including their quality, quantity, surface area, species composition, aesthetics or usefulness for human or natural uses that are or may potentially be harmful or injurious to human health, welfare, safety or property, to biological productivity, diversity, or stability or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

RG/6/CDD  
884-10-07-03G-E^

**STANDARD FIRE AND ENVIRONMENTAL PROTECTION CONDITIONS**  
**(FORMERLY ENVIRONMENTAL SAFETY)**  
Revised 10/30/03

**GENERAL**

- \_\_\_ ES-01 Update all information in your current Environmental Compliance Plan (ECP). Attach a copy of the updated ECP to your submitted building plans.

**HAZARDOUS MATERIALS**

- \_\_\_ ES-02 If hazardous materials will be stored or used on-site (including paints, thinners, compressed gases, propane, diesel, gasoline, etc.), complete an Environmental Compliance Plan (ECP) application. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy. Attach a copy of the completed ECP to your submitted building plans.
- \_\_\_ ES-03 Complete an "Installation or Upgrade of Hazardous Materials Storage or Use Areas" check sheet. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy. All applicable items in the check sheet should be completed and shown on the building plan submittal.
- \_\_\_ ES-04 Complete an "Underground Storage Tank System Closure" permit application. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy. The completed application and fees should be submitted directly to the Fire and Environmental Protection Division.
- \_\_\_ ES-05 Complete an "Underground Hazardous Materials Storage Tank System Installation" check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.
- \_\_\_ ES-06 Complete a "Pyrophoric and Self-Detonating Gases" check sheet. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy. All applicable items in the check sheet should be completed and shown on the building plan submittal.
- \_\_\_ ES-07 Complete a "Toxic Gas Ordinance—Exterior Storage" check sheet. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy. All applicable items in the check sheet should be completed and shown on the building plan submittal.
- \_\_\_ ES-08 Complete a "Toxic Gas Ordinance—Interior Use and Storage" check sheet. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy. All applicable items in the check sheet should be completed and shown on the building plan submittal.
- \_\_\_ ES-09 Complete a "Toxic Gas Ordinance—Limited Use Laboratory/Research Facility" check sheet. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy. All applicable items in the check sheet should be completed and shown on the building plan submittal.
- \_\_\_ ES-10 Complete a "Pyrophoric and Self-Detonating Gases" check sheet. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy. All applicable items in the check sheet should be completed and shown on the building plan submittal.

the State General Construction Activity Storm Water Permit shall be attached to the building plans. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain further information and guidelines regarding preparation of these documents.

- \_\_\_ ES-23 All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water and sediments to the storm drain system. Refer to the City of Mountain View document, "It's In the Contract But Not in the Bay," for the specific construction practices required at the job site. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a copy of this document.
  
- \_\_\_ ES-24 For construction projects extending into the rainy season (October 15 through April 15), the applicant shall submit a written plan acceptable to the City which minimizes sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate:
  - a. Silt fences around the site perimeter;
  - b. Gravel bags surrounding catch basins;
  - c. Filter fabric over catch basins;
  - d. Covering of exposed stockpiles;
  - e. Concrete washout areas;
  - f. Stabilized rock/gravel driveways at points of egress from the site; and
  - g. Vegetation, hydroseeding or other soil stabilization methods for high-erosion areas.

The plan should also include routine street sweeping and storm drain catch basin cleaning.

- \_\_\_ ES-25 For residential and nonresidential buildings: roofs exceeding 5,000 square feet shall drain to one or more of the following:
  - a. Grassed swales;
  - b. Bioretention Filters;
  - c. Catch basin filter inserts;
  - d. Infiltration wells; or
  - e. Other alternatives approved by the City.

If catch basin filter inserts are used, attach a copy of a self-certification from the private owner that he/she will clean/recharge the inserts as per manufacturer's recommendations.

Infiltration wells or other infiltration devices require engineered drawings and may require approval by the Santa Clara Valley Water District. Design criteria are available from the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378.

- \_\_\_ ES-26 For residential and nonresidential buildings: swimming pools, spas and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.



- \_\_\_ ES-30 For residential and nonresidential buildings: common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include:
  - a. Setting irrigation timers to avoid runoff by splitting irrigations into several short cycles;
  - b. Employing multi-programmable irrigation controllers;
  - c. Employing rain shutoff devices to prevent irrigation after significant precipitation;
  - d. Use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and
  - e. Use of flow reducers to mitigate broken heads next to sidewalks, streets and driveways.

Identify which practices will be used in the building plan submittal.

- \_\_\_ ES-31 For multi-family dwelling complexes (25 or more units): a dedicated car wash area shall be installed. The car wash area shall be designed to prevent the run-on of storm water and runoff of spills by all of the following:
  - a. Paving the area with concrete or other nonpermeable surface;
  - b. Sloping the area inward (negative slope) or installing a berm or curb around its perimeter; and
  - c. Discharging the wash water to an approved wastewater treatment system connected to the sanitary sewer.

Treatment systems require engineered drawings. Design criteria are available from the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378.

All treatment systems connected to the sanitary sewer require a wastewater discharge permit. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain an application.

- \_\_\_ ES-32 For residential projects with private streets, the following ongoing maintenance shall be provided:
  - a. Private streets shall be swept at least four times per year;
  - b. Private storm drain inlets shall be cleaned at least once per year prior to October 15; and
  - c. Common area trash management and litter control.

Attach a copy of the contract or maintenance agreement identifying the name, address and phone number of the party carrying out these maintenance activities.

- \_\_\_ ES-33 For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay").

There shall be no storm drains in the loading docks unless they are normally in the closed position and interlocked to open when triggered by the rain sensor.

- ES-38 Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak or otherwise contaminate storm water runoff) shall be designed to prevent the run-on of storm water and runoff of spills by all of the following:
  - a. Paving the area with concrete or other nonpermeable surface;
  - b. Covering the area; and
  - c. Sloping the area inward (negative slope) or installing a berm or curb around its perimeter.

There shall be no storm drains in the outdoor storage area.

- ES-39 High erosion areas (areas paved with loose sand/gravel, areas used for storage of high-sediment-producing materials such as rock or sand, or areas designated for high traffic or heavy equipment traffic) shall be designed to prevent the run-on of storm water and runoff of spills by one of the following:
  - a. Covering the area and either sloping the area inward (negative slope) or providing a berm or curb around its perimeter; or
  - b. Retrofitting the area with a treatment system to intercept and remove sediments from storm drain runoff.

Treatment systems require engineered drawings. Design criteria are available from the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378.

- ES-40 For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.

Treatment systems require engineered drawings. Design criteria are available from the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378.

All treatment systems connected to the sanitary sewer require a wastewater discharge permit. Contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378 to obtain a permit application.

- ES-41 For residential and nonresidential projects that create or replace more than one acre (43,650 square feet) of impervious surface, stormwater runoff shall be directed to approved permanent treatment controls as required in the City's manual titled, "Stormwater Quality Guidelines for Development Projects." Contact the Community Development Department at (650) 903-6313 to obtain a copy of "Stormwater Quality Guidelines for Development Projects."

The "Stormwater Quality Guidelines for Development Projects" manual requires applicants to submit a Stormwater Management Plan, including information such as the type, location and sizing requirements of the treatment controls that will be installed. Include the Stormwater Management Plan with the building plan submittal. Stormwater treatment controls required under this condition may be required to enter into a formal recorded self-inspection and maintenance agreement with the City.

CITY OF MOUNTAIN VIEW

STANDARD  
PROVISIONS



PUBLIC WORKS DEPARTMENT - AUGUST 1999

**7-08 DISPOSAL OF MATERIALS.** Material disposal shall be in accordance with Section 13, "Excess Material," of these Standard Provisions.

**7-08.01 Nonpoint Source Pollution Control.** In compliance with State and Federal regulations on construction storm water management and nonpoint source pollution control, no pollutants will be allowed to enter the storm drainage system. The Contractor shall be responsible for containing and removing any waste from the Contractor's construction operation using the appropriate Best Management Practices (BMP) and shall properly dispose the waste from the site. The Contractor shall be responsible for cleaning catch basins if solid and liquid waste material originating from the Contractor's operation enters the storm drain. Violation of this provision shall cause the City to issue a stop-work notice and take necessary action to require the Contractor to correct and comply with the regulations. All costs related to the stop-work action and corrective work to come into compliance shall be fully borne by the Contractor.

All construction projects occurring within City limits shall be conducted in a manner which prevents the release of hazardous materials or hazardous waste to the soil or groundwater, and minimizes the discharge of hazardous materials, hazardous wastes, polluted water and sediments to the storm drain system in accordance with City Code Section 35.32.101(T). Practices which may be implemented to meet the intent of this requirement are described in the City of Mountain View's document "Stormwater Pollution Prevention Guidelines for Construction Projects" and "It's in the Contract! (but not in the Bay) - Pollution prevention specifications for construction contractors and maintenance crew supervisors working in the City of Mountain View".

**7-09 COOPERATION BETWEEN CONTRACTORS.** Where two or more contractors are employed on related or adjacent work, each shall conduct Contractor's operations in such a manner as not to cause any unnecessary delay or hindrance to the other. In the event that agreement cannot be reached between contractors performing related work, the required degree of cooperation shall be established by the Engineer, whose decision shall be final.

**7-10 CONTRACTOR'S RESPONSIBILITY FOR WORK.** Until a formal written Notice of Completion or Notice of Cessation of the Work is adopted by the City Council and recorded with the County Recorder, the Contractor shall have the charge and care thereof and shall bear the risk of injury or damage to any part thereof by the action of the elements or from any other cause including, but not limited to, vandalism, whether or not arising from the execution of the Work. The Contractor shall rebuild, repair, restore and make good all injuries or damages to any portion of the Work occasioned by any of the above causes before its completion and acceptance and shall bear the expense thereof, except for such injuries or damages as are directly and proximately caused by acts of the Federal Government or the public enemy.

## SECTION 3: AWARD AND EXECUTION OF CONTRACT

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**3-01 AWARD OF CONTRACT.** The right is reserved to reject any and all Proposals.

The Contract, if awarded, will be to the lowest responsible Bidder whose Proposal complies with all the requirements prescribed and who complies with requirements of timely execution and return of Contract together with contract bonds. The award, if made, will be within sixty (60) days after the opening of the Proposals, unless otherwise noted in the Proposal Form or Special Provisions.

All bids will be compared on the basis of the Engineer's approximate estimate of the quantities of work to be done as set forth in the Proposal Form.

**3-02 RETURN OF PROPOSAL GUARANTIES.** After the award of the Contract, the City will return the Proposal Guaranties accompanying those Proposals that are not to be considered further in making the award. All other Proposal Guaranties will be held until the Contract has been fully executed, after which they will be returned to the respective Bidders whose Proposals they accompany.

**3-03 CONTRACT BONDS.** The successful Bidder shall furnish the two (2) bonds required by the State Contract Act on the forms provided by the City in the Contract Documents. All alterations, extension of time, extra and additional work, and other changes authorized by these Standard Provisions or any part of the Contract may be made without securing the consent of the surety or sureties on the contract bonds.

**3-04 EXECUTION OF CONTRACT.** The Contract shall be signed by the successful Bidder and returned, together with the contract bonds, within fifteen (15) calendar days, after the Bidder has received notice that the Contract has been awarded.

**3-05 FAILURE TO EXECUTE CONTRACT.** Failure to execute a Contract and file acceptable bonds as provided herewith within fifteen (15) calendar days after the Bidder has received notice that the Contract has been awarded, shall be just cause for the annulment of the award and forfeiture of the Proposal Guaranty. If the successful Bidder refuses or fails to execute the Contract, the City may award the Contract to the second lowest responsible Bidder. If the second lowest responsible Bidder refuses or fails to execute the Contract, the City may award the Contract to the third lowest responsible Bidder and so on. This procedure may continue until a responsible Bidder properly and timely executes and returns the Contract together with the Contract bonds, or until the City rejects further Bidders. On the failure or refusal of any responsible Bidder, to whom any such Contract is so awarded, to execute the same, such Bidders' Guaranties shall be likewise forfeited to the City.

Fire Department • Fire and Environmental Protection Division • 1000 Villa Street • Mountain View, California 94041-1295  
650-903-6378 • FAX 650-9036122

**Plan Check Requirements for:  
STORM DRAIN/SANITARY SEWER DISCHARGES  
RESIDENTIAL, COMMERCIAL, & INDUSTRIAL FACILITIES  
(Update—9/02)**

The Fire and Environmental Protection Division of the Mountain View Fire Department will review your submitted plans using this plan check outline.

*Where appropriate, enter below the page number of your submitted plans where the item asked for is called out and highlight the item in your plans. Include brochures, manufacturer's cut sheets, and calculations with the plans when asked for.*

If all the information requested in this outline is included in your plans or attachments, they can be reviewed and approved by the Fire and Environmental Protection Division within five working days.

\*\*\*\*\*

Facility Name \_\_\_\_\_ Address: \_\_\_\_\_

Architect Name: \_\_\_\_\_ Phone: \_\_\_\_\_ PC#: \_\_\_\_\_ Date: \_\_\_\_\_

**A. General**

- 1) Domestic and industrial process waste discharge piping shall be completely separated upstream of a manhole or access box to allow for the separate measuring of industrial and domestic wastes (MVCC 35.32.7.1). *Indicate all the domestic and industrial waste discharge lines on the plans. Show the location and dimensions of the manhole or access box. Plan page number:*  
\_\_\_\_\_.
- 2) It shall be unlawful for any interior floor drains to be connected to the storm sewer system (MVCC 35.32.10.1(D)). *Provide an inventory of all interior floor drains and designate whether they discharge to the sanitary sewer or storm sewer on the plans. Plan page number:* \_\_\_\_\_.
- 3) It shall be unlawful to discharge to the storm sewer system any of the following (MVCC 35.31.3.1):
  - Air compressor condensate;
  - Air scrubber water;
  - Boiler water blow-down;
  - Chiller water;
  - Cooling tower blow-down;

*Indicate the location of each item and the sanitary sewer drain it will be discharged to on the plans. Plan page number:* \_\_\_\_\_.

- 4) Spill prevention and clean-up equipment shall be kept in stock at all times (MVCC 35.32.10.1(C)). *Specify in the attached plans the type of clean-up equipment that will be stocked. Plan page number:* \_\_\_\_\_.

- 5) Storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay") (MVCC 35.32.10.1(J)). *Indicate this on the plans.* Plan page number: \_\_\_\_\_.
- 6) Roof-mounted equipment, tanks, and piping containing hazardous materials shall be secondarily contained. (MVCC 35.32.10.1(K)). Secondary containment shall not allow for the accumulation of liquids (hazardous material liquids, precipitation, condensate, etc.). (MFCC 24.3.0.q.2(d)). *List an inventory of all roof-mounted equipment on the plans and indicate which ones contain hazardous materials.* Plan page number: \_\_\_\_\_. *Indicate on the plans the method of secondary containment.* Plan page number: \_\_\_\_\_.
- 7) For water distribution systems, zinc anodes shall not be in contact with the water supply. (MVCC 35.32.10.1(L)). *Indicate this on the plans.* Plan page number: \_\_\_\_\_

**B. Significant Industrial Users (includes any business: discharging process wastewater exceeding 25,000 gallons per day, discharging process wastewater that may include toxics, subject to EPA categorical regulations, or treating process wastewater prior to discharge).**

- 1) Every significant industrial user shall provide a flow measuring device or flow measuring methodology approved by the City (MVCC 35.32.7.1). *Attach manufacturer's cut sheets on the flow measuring device. Show the location of this device on the plans.* Plan page number: \_\_\_\_\_.

**C. Dental Facilities**

- 1) Dental facilities using amalgams containing silver shall install amalgam traps on all equipment that carries silver amalgam waste to the sanitary sewer (MVCC 35.32.10.1(H)). *Attach manufacturer's cut sheets on the amalgam traps and show their location on the plans.* Plan page number: \_\_\_\_\_.

**D. Food Service Facilities (includes kitchens, lunch rooms, and cafeterias)**

- 1) Commercial or industrial generators of grease shall install approved grease removal devices (grease trap or grease interceptor). It shall be sized in conformance with Section 711 and Appendix H of the most current publication of the Uniform Plumbing Code adopted by the city. (MVCC 35.32.10.1(I)). *Attach the following:*
  - Manufacturer's cut sheets on the grease removal device;*
  - Calculations for determining appropriate size of the device.*

*Show the device's location on the plans.* Plan page number: \_\_\_\_\_.

- 2) Contents of the grease removal device shall be removed periodically, but in no case less than once every 6 months by a licensed third-party contractor (MVCC 35.32.10.1(I)). *Attach a copy of a signed contract with the grease removal contractor. (Plans will not be approved without a signed contract).*
- 3) Commercial or industrial generators of grease shall install a sink or have a designated area for cleaning floor mats, containers and equipment connected to the grease removal device and large enough to clean the largest mat or piece of equipment (MVCC 35.32.10.1(I)). *Attach manufacturer's cut sheets on the sink or area, including its size.*
- 4) Commercial or industrial generators of grease shall have a covered and enclosed area for their dumpster which prevents water runoff to the area and runoff from the area. If there is a drain installed beneath the dumpster, it shall be connected to a grease removal device (MVCC 35.32.10.1(I)). *Show the schematics for the cover and enclosure of the dumpster on the plans.* Plan page number: \_\_\_\_\_. *If there is a drain, show the connection of it to the grease removal device.* Plan page number: \_\_\_\_\_.
- 5) Contents of tallow containers shall be removed no less than once every two weeks by a licensed tallow removal contractor. (MVCC 35.32.10.1(I)). *Attach a copy of a signed contract with the tallow removal contractor. (Plans will not be approved without a signed contract).*

**E. Laboratories**

- 1) Lab sinks, drains, and equivalent discharge points shall be connected to approved wastewater treatment facilities or holding tanks capable of retaining the non-domestic wastewater flow until it can be sampled and analyzed (MVCC 35.32.10.1(N)). *Indicate which option will be used on the plans.* Plan page number: \_\_\_\_\_
- 2) Lab countertops or lab sinks shall be separated with a ridge or lip to prevent hazardous or other regulated materials spilled on the countertops from draining into the sink (MVCC 35.32.10.1(N)). *Show the ridge or lip on the plans.* Plan page number: \_\_\_\_\_
- 3) If mercury is stored or used, see-through sewer traps (made of glass, plastic, or other "listed" transparent materials meeting Uniform Plumbing Code requirements) shall be installed (MVCC 35.32.10.1(N)). *Indicate the type of trap to be used on the plans.* Plan page number: \_\_\_\_\_

**F. Auto Body Shops**

- 1) Facilities performing autobody work where wet sanding is occurring shall either:
  - Generate small amounts of wet sanding water by spot sanding only and wipe up residues with rags;
  - Store wet sanding wastewater in pails/drums and haul off as hazardous waste; or
  - Install a treatment system (settling tank system) to treat wet sanding water prior to discharge to the sanitary sewer.(Note: this option requires issuance of a wastewater discharge permit from the City).

*Indicate which option you will use to handle wet sanding wastewater.* Plan page number: \_\_\_\_\_

**G. Cooling Towers**

- 1) *Provide manufacturer's cut sheets on the cooling tower(s), including capacity, location, discharge point, and blowdown discharge flow ( in gallons per day).*
- 2) If the cooling tower(s) can discharge more than 2,000 gallons per day, the following items are required:
  - a) An approved dedicated sampling port shall be installed to allow for the direct sampling of the cooling tower discharge. Contact the Fire and Environmental Protection Division at 650-903-6378 for specifications on the sampling port. (MVCC 35.32.7.1). *Indicate the location of the sampling port on the plans.* Plan page number: \_\_\_\_\_
  - b) A flow measuring device shall be installed at the point of discharge to the sanitary sewer. (MVCC 35.32.7.1). *Attach manufacturer's cut sheets on the flow measuring device and show its location on the plans.* Plan page number: \_\_\_\_\_
  - c) A wastewater discharge permit shall be obtained from the City's Fire and Environmental Protection division prior to discharge to the sanitary sewer. Contact them at 650-903-6378 for a permit application.

**H. Vehicle or Equipment Fueling Facilities**

- 1) Vehicle or equipment fueling facilities shall be designed to prevent the run-on of stormwater and runoff of spills. This shall be accomplished by:
  - Paving the area with concrete or other nonpermeable surface;
  - Covering the area and extending the cover a minimum of ten (10) feet beyond the fuel pumps in the direction of vehicle or equipment access and egress; and
  - Grading the area (sloping inward) or installing a berm or curb around the perimeter. (MVCC 35.32.10.1(O))

*Show these items on the plans.* Plan page number: \_\_\_\_\_



**I. Outdoor Vehicle or Equipment Maintenance Areas (including Washing)**

- 1) Vehicle or equipment maintenance areas shall be designed to prevent the run-on of stormwater and runoff of spills. This shall be accomplished by:
  - Paving the area with concrete or other nonpermeable surface;
  - Covering the area; and
  - Grading the area (sloping inward) or installing a berm or curb around the perimeter. (MVCC 35.32.10.1(P)).

Show these items on the plans. Plan page number: \_\_\_\_\_ .

**J. Loading Docks**

- 1) Loading docks used for the shipping or receiving of hazardous materials or hazardous wastes shall be designed to prevent the run-on of stormwater and runoff of spills. This shall be accomplished by:
  - Paving the loading dock with concrete or other nonpermeable surface;
  - Covering the loading dock or installing a rain sensor which automatically opens and closes the storm drain in the dock; and
  - Grading the dock (sloping inward) or installing a berm or curb around the perimeter. (MVCC 35.32.10.1(Q)).

Show these items on the plans. Plan page number: \_\_\_\_\_ .

**K. Outdoor Storage Areas**

- 1) Outdoor unprotected areas used for the storage or stockpiling of raw materials, products or equipment which can contaminate stormwater runoff through leaking, breaking down, increasing particulate or sediment runoff, or dissolving in storm water shall be designed to prevent the run-on of stormwater and runoff of spills. This shall be accomplished by:
  - Paving the area with concrete or other nonpermeable surface;
  - Covering the area; and
  - Grading the area (sloping inward) or installing a berm or curb around the perimeter. (MVCC 35.32.10.1(R)).

Show all items on the plans. Plan page number: \_\_\_\_\_ .

**L. High Erosion Areas**

- 1) Outdoor areas which are prone to excessive erosion rates and sediment runoff due to: 1) the absence of landscaping, 2) the storage of high sediment-producing materials which are unprotected from stormwater infiltration; or 3) high traffic or heavy equipment traffic patterns which exacerbates the erosion rate, shall be designed to prevent the run-on of stormwater and runoff of spills. This shall be accomplished by either:
  - Covering the area and grading the area (sloped inward) or installing a berm or curb around the perimeter; or
  - Retrofitting the area with a treatment system approved by the city which will intercept and remove the sediments from the stormwater runoff prior to entering the storm drain. (MVCC 35.32.10.1(S)).

Identify which option will be implemented and show it on the plans. Plan page number: \_\_\_\_\_ .

**M. Multi-Level Parking Garages**

- 1) Parking garage floor drains on interior levels shall be connected to an approved wastewater treatment system having a minimum capacity of 100 gallons and discharging to the sanitary sewer. (MVCC 35.32.10.1(V)). Attach manufacturer's cut sheets on the treatment system and show its location on the plans. Plan page number: \_\_\_\_\_

**N. Multifamily Dwellings**

- 1) Residential complexes consisting of 25 or more units shall be equipped with a designated car wash which connects to an approved wastewater treatment system having a minimum capacity of 100 gallons and discharging to the sanitary sewer. (MVCC 35.32.10.1(W)). *Attach manufacturer's cut sheets on the treatment system and show its location on the plans.* Plan page number: \_\_\_\_\_.
  
- 2) The area surrounding the car wash shall be designed to prevent the runoff of stormwater and runoff of spills by:
  - Paving the area with concrete or other nonpermeable surface; and
  - Grading the area (sloping inward) or installing a berm or curb around the perimeter.

*Show these items on the plans.* Plan page number: \_\_\_\_\_.

**O. Sprinklered Buildings**

- 1) New buildings which are sprinklered shall be provided with a sanitary sewer drain in a protected area which can accept sprinkler water discharged during sprinkler system draining or activation of the inspector test valve. (MVCC 35.32.10.1(Z)). *Show the location of the sprinkler main drain, inspector test port and sanitary sewer connection on the plans.* Plan page number: \_\_\_\_\_.

Fire Department • Fire and Environmental Protection Division • 1000 Villa Street • Mountain View, CA 94041-1295  
650-903-6378 • FAX 650-903-6122

**Plan Check Requirements for:  
INSTALLATION OR UPGRADE OF  
HAZARDOUS MATERIALS STORAGE OR USE AREAS  
(Update—5/99)**

The Fire and Environmental Protection Division of the Mountain View Fire Department (650-903-6378) will review your submitted plans using this plan check outline.

*Where appropriate, enter below the page number of your submitted plans where the item asked for is indicated and highlight the item in your plans. Include brochures, manufacturer's cut sheets, and calculations with the plans when asked for.*

If all the information requested in this outline is included in your plans or attachments, they can be reviewed and approved by the Fire and Environmental Protection Division within five working days.

\*\*\*\*\*

**Facility Name:** \_\_\_\_\_ **Address:** \_\_\_\_\_

**Architect Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_ **PC#:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**GENERAL**

1) A chemical inventory\* list must be attached to the plans indicating quantities and proposed storage/use locations. (MVCC 24.4.2.c). Note: The HMMP inventory can be used for this as long as the locations are also identified in the submitted plans.

\* For any containers exceeding 60 gallon capacity, identify their size, contents, concentration, and hazard class.

\* For plating, dipping, coating, or other processing tanks, identify their size, contents, concentration, and hazard class.

2) Security measures shall be employed to restrict access to each hazardous materials storage or use area (MVCC 24.3.3). *Identify how access will be restricted for each area on the plans.* Plan page number: \_\_\_\_\_

3) Simplified emergency evacuation procedures shall be posted in all hazardous materials storage or use areas (MVCC 24.4.3.b.1(c)). *Identify the text and location for these procedures.* Plan page number: \_\_\_\_\_

4) Emergency spill equipment to contain and remove any hazardous materials leaks or spills shall be provided (MVCC 24.3.4). *Indicate the type of spill equipment and where it will be stored on the plans.* (The Emergency Response II form of the HMMP may also be used as long as the locations are indicated on the plans). Plan page number: \_\_\_\_\_

5) Material Safety Data Sheets (MSDS) must be attached to the plans for all mixtures and blends which are listed by trade names. (MVCC 24.3.6).

## PRIMARY CONTAINMENT

- 6) If any of the proposed hazardous material storage containers will exceed 60 gallons capacity, *indicate the composition of these containers on the plans*. Plan page number: \_\_\_\_\_. (For office use only: Are these containers compatible with the materials being stored? \_\_\_\_\_)
- 7) If plating, dipping, or other open processing tanks are utilized, *indicate the composition of these tanks on the plans*. Plan page number: \_\_\_\_\_. (For office use only: Are these tanks compatible with the materials being stored? \_\_\_\_\_)
- 8) Primary containment of containers and piping must be monitored for leaks. If the entire primary containment surface is visible, visual inspection is adequate; otherwise an electronic sensor must be used (MVCC 24.3.0.m.1). *Indicate on the plans the type of leak detection monitoring for each hazardous material container storage area and piping run*. Plan page number: \_\_\_\_\_
- a) If electronic sensors are used, they must be connected to audible and visual alarms (MVCC 24.3.0.m.4). *Attach manufacturer's cut sheets on the electronic sensors*.
- b) If electronic sensors are used, their audible/visual alarms shall be located in areas normally staffed with personnel trained in emergency response procedures (MVCC 24.3.0.m.4). *Indicate the location to which the audible/visual alarm is sent*. Plan page number: \_\_\_\_\_.

## SECONDARY CONTAINMENT

- 9) Each hazardous materials storage/use location shall be secondarily contained (MVCC 24.3.0.q). *Describe the secondary containment and its composition for each location on the plans*. Plan page number: \_\_\_\_\_
- 10) If any secondary containment systems employ drains for discharging accumulated liquids (MVCC 24.3.0.q.2(d)):
- a) *Show the drain lines and identify the locations where they terminate*. Plan page number: \_\_\_\_\_. (For office use only: Discharge to the storm drain is not allowed. Drain lines must discharge to an approved wastewater treatment system, collection system, or sanitary sewer drain if uncontaminated. Does the proposed discharge meet these requirements? \_\_\_\_\_).
- b) Drain line materials shall be compatible with the potential discharges. *Describe the materials of construction of the drain lines*. Plan page number: \_\_\_\_\_. (For office use only: Are these materials compatible with the potential discharges? \_\_\_\_\_)
- 11) If any secondary containment systems employ a concrete pad or berm, the concrete must be sealed with an epoxy coating that is compatible with the stored/used chemicals (MVCC 24.3.0.q.2(a)). *Attach manufacturer's cut sheets which describe the coating and contains a compatibility chart which verifies that the chemicals being proposed for the storage/use area is compatible and will not degrade the coating*. (For office use only: Does the secondary containment maintain segregation of any incompatible hazardous materials spillage? \_\_\_\_\_).
- 12) If any secondary containment systems employ storage cabinets, *manufacturer's cut sheets of the cabinets must be attached to the plans*. (MVCC 24.3.0.p).
- a) *Specify the proposed location(s) for each type of storage cabinet*. Plan page number: \_\_\_\_\_
- b) Cabinets shall be labeled either: "Hazardous--Keep Fire Away" and "Flammable" in red letters on a contrasting background (for flammable liquid storage) or "Corrosive-Acids" or "Corrosives-Bases" (for corrosive liquid storage). *State this on the plans*. Plan page number: \_\_\_\_\_.
- c) Cabinets shall be constructed of metal (for flammable liquid storage), or lined with a noncorroding plastic if corrosives are stored. *Identify the materials of construction for the cabinets*. Plan or cut-sheet page number: \_\_\_\_\_.

- d) Metal thickness of the cabinet shall not be less than 0.043 inches. *Specify the metal thickness.* Plan or cut sheet page number: \_\_\_\_\_
- e) Cabinets shall be double-walled with a 1.5" airspace between the walls. *Identify these dimensions.* Plan or cut sheet page number: \_\_\_\_\_.
- f) Cabinets shall have self-closing and self-latching doors. *Describe the door assemblies.* Plan or cut sheet page number: \_\_\_\_\_.
- g) Cabinets shall have a minimum height of 2" in the bottom sill. *Specify the sill height.* Plan or cut sheet page number: \_\_\_\_\_.
- 13) If any secondary containment systems employ overpack drums, trays, troughs, etc., they shall be made of metal (if flammables are stored) or polyethylene plastic (if corrosives are stored). (MVCC 24.3.0.q.2(a)). *Identify the materials of construction on the plans.* Plan page number: \_\_\_\_\_. (For office use only: Does the secondary containment maintain segregation of any incompatible hazardous materials spillage? \_\_\_\_\_).
- 14) If any secondary containment systems are storage sheds, *attach a manufacturer's cut sheet on the shed.* (For office use only: Does the secondary containment maintain segregation of any incompatible hazardous materials spillage? \_\_\_\_\_).
- a) Flooring material shall be compatible with the chemicals being stored. (MVCC 24.3.0.q.2(a)). *Identify this material.* Plan or cut sheet page number: \_\_\_\_\_
- b) Doors shall be self-closing and self-latching. *Identify the door construction.* Cut sheet page number: \_\_\_\_\_.
- 15) If any storage or use area will hold only a single container, the secondary container shall hold 110% of this primary container (MVCC 24.3.0.q.2(b)). *Indicate the capacity of the secondary container and show the calculations\* on the plans.* Plan page number: \_\_\_\_\_. If any storage or use area will hold multiple containers, the secondary containment shall hold either 10% of the aggregate volume or 150% of the largest container, whichever is greater (MVCC 24.3.0.q.2(c)). *Indicate the capacity of the secondary containment and show the calculations\*.* Plan page number: \_\_\_\_\_.

\* If this area is sprinklered, the calculations described above must also include 20 minutes of sprinkler flow for additional volume of the secondary container. (MVCC 24.3.0.q.2(e)).

\* This area must be protected by a roof, cover, or other structure to prevent the accumulation of precipitation, condensate, or other outside liquid. (MVCC 24.3.0.q.2(d)).

### **LABELING/PLACARDING**

- 16) An NFPA 704 placard shall be affixed to each entrance of a hazardous material storage or use area (including storage sheds). (MVCC 24.3.8). *Indicate where these placards will be placed on the plans.* Plan page number: \_\_\_\_\_.
- a) Placards shall be 10" x 10" with 4" numbers, minimum. *Specify the placard dimensions and number designations on the plans.* Plan page number: \_\_\_\_\_.
- 17) Chemical storage areas, drum and container storage areas, and cylinder rack storage areas, shall be labeled as follows (MVCC 24.3.9.b):
  - a) Areas shall be marked with a sign indicating the hazard class(es) of the chemicals stored. *Indicate the text of the signage on the plans.* Plan page number: \_\_\_\_\_.

- b) Empty container storage areas shall be marked "Empty Drum Storage" or equivalent. . *the text and location of the signage on the plans.* Plan page number: \_\_\_\_\_.

24.3.9.d): 18) Piping and tubing containing hazardous liquids and gases shall be labeled as follows (MVCC

- a) At 20 foot intervals with the material name and direction of flow. Piping and tubing shall be marked at each point where changes in direction occur and where wall, ceiling, or floor penetrations occur. *Indicate this on the plans.* Plan page number: \_\_\_\_\_.

19) Safety cans shall be labeled as follows (MVCC 24.3.9.e):

- a) Chemical name and hazard class of the liquid contained therein. *Indicate the text of the labeling on the plans.* Plan page number: \_\_\_\_\_.

20) Open tanks, vats and baths shall be labeled as follows (MVCC 24.3.9.f):

- a) Chemical name, hazard class and percentage concentration on the tank itself or on the wall directly behind the tank. *Indicate the text and location of the labeling on the plans.* Plan page number: \_\_\_\_\_.
- b) Rinse dragout tanks shall be marked "Rinse Water" or equivalent. *Indicate the text of the labeling on the plans.* Plan page number: \_\_\_\_\_.

21) Above-ground storage tanks (tanks exceeding 60 gallon capacity) shall be labeled as follows:

- a) Chemical name. *Indicate the text of the labeling on the plans.* Plan page number: \_\_\_\_\_.
- b) Tanks containing process cooling water, rinse water , deionized water, etc. shall be labeled with name of the material contained. *Indicate the text of the labeling on the plans.* Plan page number: \_\_\_\_\_.

## STORAGE/HANDLING

- 22) Equipment and machinery used for processing hazardous materials shall be listed, designed, and constructed in accordance with approved standards (MVCC 24.3.0.d.3). *Attach a list of process equipment/machinery to the plans and indicate its listing (UL, NFPA, etc.).* Plan page number: \_\_\_\_\_. *Attach manufacturer's cut sheets of this equipment to the plans.*

- 23) (For office use only): Is the chemical storage layout designed so that compatible hazard classes of chemicals are stored together and incompatible classes of chemicals are segregated by at least 20 feet unless the secondary containment systems completely isolate all possible spillage so that intermixing cannot occur? \_\_\_\_\_ .

- 24) *Describe the method used to transport chemicals throughout the facility on the plans .* (MVCC 24.3.0.v) Plan page number: \_\_\_\_\_. *If chemical carts or other transportation equipment is proposed, attach manufacturer's cut sheets of this equipment.*

- 25) If containers are used for accumulating hazardous liquids from a remote location (such as batch processing tanks or waste tanks), a liquid level control (i.e. high-level sensor with visual/audible alarm and pump shut-off) which will keep the container from overflowing is required. (MVCC 24.3.0.n). (Visual inspection may suffice if the operator is within sight and immediate control of the filling device). *Identify the liquid-level control on the plans.* Plan page number: \_\_\_\_\_. *Attach manufacturer's cut sheets on the liquid-level control and audible/visual alarm.*

- a) If an electronic sensor is proposed, its audible/visual alarm shall be located in areas normally staffed with personnel trained in emergency response procedures (MVCC 24.3.0.m.4). *Indicate the location to which the audible alarm is sent.* Plan page number: \_\_\_\_\_.
- 26) If any heated containers/tanks will be used for hazardous materials storage or use, a high-temperature power shut-off and low liquid-level power shut-off shall be provided (MVCC 24.3.0.k). *Identify their locations on the plans.* Plan page number: \_\_\_\_\_. *Attach manufacturer's cut sheets of all electronic liquid level and high-temperature power shut-offs.*
- 27) If temperature sensitive materials are used (for example, materials which must remain refrigerated), a redundant (backup) temperature control system which will operate upon failure of the primary system shall be provided (MVCC 24.3.0.u). *Show this system and the electrical schematics for how it is tied into the primary system on the plans.* Plan page number: \_\_\_\_\_.
- 28) If compressed gas cylinders are proposed, all cylinders not in use shall be chained (not strapped) to a stationary structure (MVCC 24.3.0.b). *Show the stationary structure and describe the securement on the plans.* Plan page number: \_\_\_\_\_.
- 29) If dispensing of Class I flammables or Class II combustibles is proposed (including pouring waste flammables into a collection pail or drum), bonding and grounding shall be provided (MVCC 24.3.0.j). Grounding (copper) rods shall be 1/2" thick and at least 8' long and terminate in the ground. Bonding straps shall connect the dispensing container to the grounding device during filling or dispensing activities. *Show the bonding and grounding layout on the plans.* Plan page number: \_\_\_\_\_.
- 30) If shelves are used for hazardous materials storage, they shall be seismically braced (MVCC 24.3.0.s). *Show the stationary structure and type of securement on the plans.* Plan page number: \_\_\_\_\_.
- a) Safeguards across the front face of the shelves (metal lip guards or metal brackets) shall be provided to keep containers from falling or being knocked over (MVCC 24.3.0.s). *Show these guards/brackets on the plans.* Plan page number: \_\_\_\_\_.
- 31) If tanks, piping, valves or fittings used for storage/transfer of hazardous materials are exposed to vehicular traffic, bollards shall be installed (MVCC 24.3.0.o). Bollards shall meet the following:
- a) Constructed of steel not less than 4 inches in diameter and concrete filled. *Indicate this on the plans.* Plan page number: \_\_\_\_\_.
- b) Spaced not more than 4 feet apart on center. *Indicate the bollard spacing on the plans.* Plan page number: \_\_\_\_\_.
- c) Set not less than 3 feet deep in a concrete footing of not less than 15 inch diameter. *Indicate the depth and footing diameter on the plans.* Plan page number: \_\_\_\_\_.
- d) Set with the top of the post not less than 3 feet above ground. *Indicate bollard height on the plans.* Plan page number: \_\_\_\_\_.
- e) Located not less than 5 feet from the tank/piping/valves. *Indicate distances between the bollards and tank/piping/valves on the plans.* Plan page number: \_\_\_\_\_.
- 32) If piping is installed for conveying liquids having a UFC health hazard ranking of 3 or 4, the following are required:
- a) Fail-safe-to-close emergency shut-off valves shall be installed at the point of use and at the hazardous materials source (MVCC 24.3.0.d.4(e)). *Indicate on the plans the location of the shut-off valves.* Plan page number: \_\_\_\_\_. *Attach manufacturer's cut sheets of the shut-off valve to the plans.*

- b) Pressurized piping shall be provided with excess flow control valves which shall be located as close to the hazardous materials source as possible (MVCC 24.3.0.d.4(d)). *Indicate on the plans the location of the excess flow valve.* Plan page number: \_\_\_\_\_. *Attach manufacturer's cut sheets of the shut-off valve and the calculation which determines its correct sizing to the plans.*

33) If piping is installed for conveying flammable, oxidizing or pyrophoric gases (such as hydrogen, silane, etc.), the following are required:

- a) Piping, valves and fittings made of either : 1)Low melt-point materials such as aluminum, copper and brass, 2) materials which soften on exposure to fire (plastic), or 3) non-ductile materials such as cast iron shall be suitable protected by fire-resistive construction such as gas cabinets or automatic fire sprinklers (MVCC 24.3.0.h.1(a)). *Indicate on the plans the materials of construction for piping conveying flammable, oxidizing or pyrophoric gases.* Plan page number: \_\_\_\_\_. *If any of these items are constructed of materials described above, indicate the type of fire-resistive protection provided.* Plan page number: \_\_\_\_\_.
- b) Emergency shut-off valves at each point of use and at the source (MVCC 24.3.0.h.2). *Indicate the locations of the valves on the plans.* Plan page number: \_\_\_\_\_. *Attach manufacturer's cut sheets on the valves.*



# **CITY OF MOUNTAIN VIEW**

## **NEW DEVELOPMENT CONSTRUCTION INSPECTIONS PERFORMANCE STANDARD**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **Construction Inspection - Performance Standard Review**

The Purpose of this memo is to document the City of Mountain View's review of its URMP and Performance Standards for Construction Inspections. The most recent revision to the IND Performance Standard was conducted in November 2002 to incorporate revisions made to the model Performance Standard. No additional revisions have been made to this Performance Standard.

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## Performance Standard and Supporting Documents for New Development Construction Inspections

### INTRODUCTION

#### I. Introduction

The goal of new development construction inspections is to minimize storm water pollution, erosion and sedimentation to the maximum extent practicable during the construction process. These control measures apply to both private development projects and municipal public works construction projects. Municipal agencies can ensure that required planning control measures are implemented at development sites as part of a construction inspection and enforcement program. The New Development Construction Inspection performance standard defines the level of implementation that the City of Mountain View shall attain in order to demonstrate that their construction inspection and enforcement program meets the intended goal. This performance standard will be used as the basis for measuring the effectiveness of Mountain View's construction inspection and enforcement activities.

The performance standard for New Development Construction Inspections is based, primarily, on the San Francisco Bay Regional Water Quality Control Board's April 1994 *Staff Recommendations for New and Redevelopment Controls for Storm Water Programs (Recommendations)*. The *Recommendations* incorporate the mandates of EPA's storm water regulations as well as the *Coastal Zone Act Reauthorization Amendments*. The performance standard is also consistent with the goals and objectives of the New Development and Construction Activities Component of the Program's *Storm Water Management Plan*.

## Performance Standard and Supporting Documents for New Development Construction Inspections

### DEFINITIONS

- Best Management Practices (BMPs) - cost effective practices which comply with the City's NPDES storm water discharge permit and are accepted by the City of Mountain View and the Santa Clara Valley Urban Runoff program for minimizing discharges of polluted waters to the storm drain thereby protecting water quality in streams, the groundwater basin, and the bay.
- Chapter 24, MVCC - the City of Mountain View's "Hazardous Materials Ordinance".
- Chapter 35, MVCC - the City of Mountain View's "Industrial Sewer Use Ordinance".
- Illicit Discharge - Any non-storm water discharge to a storm drain or watercourse, except for those discharges allowed under the Program's NPDES permit.
- Major Storm Event - A storm of such intensity or duration as to create significant quantities of runoff and potential for erosion, as evidenced by street ponding and/or flooding.
- NPDES - "National Pollution Discharge Elimination System" and refers to the county-wide permit for discharging to the waters of the state. The City of Mountain View is a co-permittee identified in this permit.
- Significant Erosion Potential - Conditions created by land disturbance activities which require a grading permit, as defined by local ordinance (based on slope, quantity of earth moved, etc.), or by discharges of storm water runoff over areas with erodable soils.
- Wet season - October 15 to April 15 of each year.

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: November 5, 2002

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **Revision to the Construction Inspection Performance Standard**

The purpose of this memo is to update the City of Mountain View's Urban Runoff Management Plan (URMP) to include the revised model Construction Inspection Performance Standards (CIPS). The model CIPS was developed and adopted by the Santa Clara Valley Urban Runoff Pollution Prevention Program. The model CIPS is attached to this memo with the purpose of including the document in the City's URMP.

The City's Urban Runoff Coordinator inspects construction sites with significant runoff pollution potential at least monthly. The sites are determined to have significant runoff pollution potential at the Urban Runoff Coordinator's discretion, but typically would include sites that have been cleared and graded, where erosion or sediment tracking potential exists. Sites supervisors are provided with BMP information at the beginning of the project, and during a pre-winter inspection. Sites are inspected during and after rain event to assess the effectiveness of on-site BMPs.

Most projects in Mountain View are on flat grades, so hillside erosion is not typically a concern. The most prevalent sediment and erosion concerns from projects, and the control measure most frequently use, are listed below:

- Tracking dirt off-site from truck traffic (install rock driveway)
- Keep streets clean (routine sweeping)
- Sediment washing off site perimeter (perimeter controls, such as straw rolls)
- Dewatering (settling prior to pumping and filtration during pumping)
- Storm drain inlet protection (gravel bags and silt sacks)
- Concrete (on-site concrete wash out)

During the winter months, sites with non-significant erosion potential are also inspected. These sites include home remodel projects and commercial tenant improvements. These sites are identified by reviewing the monthly County Assessors report provided by the City's Building Department.

Public projects are routinely inspected by the City's Public Works Department Inspectors, and less frequently by the City's Urban Runoff Coordinator. These projects are inspected multiple times per month.

## Performance Standard and Supporting Documents for Construction Inspection

### PERFORMANCE STANDARD

- 1) The municipal agency ensures through a construction inspection program that construction contractors properly store, use, and dispose of construction materials, chemicals, and wastes at construction sites and prevent illicit discharges<sup>3</sup> to storm drains and watercourses.
- 2) For development projects with significant erosion potential<sup>2</sup> and planned construction activity during the wet season<sup>2</sup>, the municipal agency ensures, through a construction inspection program, that erosion and/or sediment control measures are implemented in accordance with local ordinances and project conditions of approval and maintained as needed during construction.
- 3) The municipal agency inspects construction sites for adequacy of storm water quality control measures. The frequency of inspections for active sites is at least once per month, or more frequently based on the size of the project, site conditions, precipitation, and the project's potential impact on storm water quality.
- 4) Prior to the beginning of the wet season each year, the municipal agency inspects all sites requiring erosion and/or sediment control plans, to ensure that measures have been taken to minimize erosion and discharges of sediment from disturbed areas.
- 5) Construction sites with inadequate erosion/sediment controls are given verbal or written notice of the inadequacies, according to the municipal agency's enforcement procedures, and followed up with action(s) commensurate with the risk of pollutants entering municipal storm drains or waterways. Written notices and follow-up actions are tracked and summarized in the agency's Annual Report to the Regional Board.
- 6) The municipal agency provides training annually to its construction inspection staff on inspection procedures, documentation, and enforcement related to storm water pollution prevention. All inspectors receive training on the latest construction-related storm water pollution prevention techniques and appropriate follow up actions at least once every two years. The municipal agency keeps documentation that inspectors have received training.
- 7) The municipal agency provides outreach materials to contractors, developers, and municipal staff on construction BMPs and compliance with the State General Construction Activity Storm Water Permit.

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<sup>3</sup> Definitions are provided on page 3 of the Performance Standards.

**Performance Standard and Supporting Documents for  
New Development Construction Inspections**

**PERFORMANCE STANDARD**

- 1) The City ensures through a construction inspection program that construction contractors properly store, use, and dispose of construction materials, chemicals, and wastes at construction sites and prevent illicit discharges to storm drains and watercourses.
- 2) For development projects with significant erosion potential and planned construction activity during the wet season, the City ensures, through a construction inspection program, that erosion and/or sediment control measures are implemented in accordance with local ordinances and project conditions of approval and maintained as needed during construction.
- 3) The City inspects construction sites for adequacy of storm water quality control measures on a regular basis, with the frequency of inspections based on the size of the project and its potential impact on storm water quality.
- 4) Prior to the beginning of the wet season each year, the City inspects all sites requiring erosion and/or sediment control plans, to ensure that measures have been taken to minimize discharges of sediment from disturbed areas.
- 5) During the wet season of each year, the City inspects all construction sites requiring erosion and/or sediment control plans following each major storm event or series of events.
- 6) The City provides training annually to its construction inspection staff on inspection procedures, documentation, and enforcement related to storm water pollution prevention.
- 7) The City provides outreach materials to contractors, developers, and municipal staff on construction Best Management Practices (BMPs) and compliance with the State General Construction Activity Storm Water Permit.
- 8) The City conducts an annual effectiveness evaluation to determine what modifications in the program are warranted to ensure continuous improvement.
- 9) The City includes a summary of construction inspections and enforcement actions taken during the past year as part of its Annual Report.



**Performance Standard and Supporting Documents for  
New Development Construction Inspections**

**WORK PLAN IMPLEMENTATION**

The City of Mountain View currently implements the new Development Construction Inspections performance standard. The City will summarize its compliance efforts during the year in its Annual Report. The format of the Annual Report reporting form is in the "City of Mountain View Annual Reporting Form" section of this document. Additional supporting documentation will be maintained at City offices and made available for public review.

For a summary of the procedures the City uses to implement these performance standards, see the "Standard Operating Procedures" section of this document.

**Performance Standard and Supporting Documents for  
New Development Construction Inspections**

**LEGAL AUTHORITY TO IMPLEMENT**

The City of Mountain View has adequate legal authority to implement the New Development Construction Inspections performance standard. The list below summarizes the various legal instruments used by the City to do so. Also, refer to the section describing best management practices and other control measures used by the City to implement the standard.

Summary of Legal Authority:

<b>LEGAL AUTHORITY</b>	<b>DESCRIPTION</b>
NPDES Permit No. CAS029718 (Order 95-180)	Stormwater permit for Santa Clara County and 13 co-permittees.
Memorandum of Agreement	Memorandum between the Santa Clara Valley Urban Runoff Pollution Prevention Program co-permittees, pursuant to the RWQCB NPDES Permit No. CAS029718.
City of Mountain View General Plan	Policy 16 requires establishment of pollution control measures to keep pollutants from entering Mountain View's storm drain system to protect the city's surface water resources. Policy 17 requires soil stabilization measures that prevent soil erosion and sedimentation. Policy 18 requires proper use, storage and disposal of toxic chemicals to prevent soil contamination.
Chapter 24, MVCC, Section 24.3.0(c)	Requires containers to be compatible with the materials they store to prevent leaks and spills.
Chapter 24, MVCC, Section 24.3.0(e)	Requires dispensing and mixing of hazardous materials to be done in a manner which does not increase risk of unauthorized discharge.
Chapter 24, MVCC, Section 24.3.0(f)	Requires an approved drainage system to prevent accumulation of liquid within secondary containment. The drainage system must conform to sanitary and storm drain discharge requirements.

LEGAL AUTHORITY	DESCRIPTION
Chapter 24, MVCC, Section 24.3.0(k)	Requires process tanks and equipment which involve temperature control of hazardous liquids to be provided with a high-temperature and low liquid-level shutoff to maintain product temperature and product level with a safe range.
Chapter 24, MVCC, Section 24.3.0(m)	Requires leak detection monitoring for all hazardous materials storage facilities.
Chapter 24, MVCC, Section 24.3.0(n)	Requires overfill protection and overspill protection when filling tanks or containers.
Chapter 24, MVCC, Section 24.3.0(o)	Requires tanks and associated piping subject to vehicular traffic and containing hazardous materials to be protected by guard posts.
Chapter 24, MVCC, Section 24.3.0(p)	Requires safety storage cabinets for storage of hazardous materials.
Chapter 24, MVCC, Section 24.3.0(q)	Requires secondary containment for all new storage facilities.
Chapter 24, MVCC, Section 24.3.0(r)	Requires separation of incompatible hazardous materials.
Chapter 24, MVCC, Section 24.3.0(s)	Requires shelves used for hazardous materials storage to be provided with a lip or guard to prevent individual containers from falling off. Requires shelving units to be seismically braced.
Chapter 24, MVCC, Section 24.3.0(u)	Requires hazardous materials which require temperatures other than ambient to be stored in approved areas or containers which will maintain the needed temperature. Redundant temperature control is also required.
Chapter 24, MVCC, Section 24.3.0(v)	Requires transport of hazardous materials exceeding 5 gallons in an exit corridor to be conducted in an approved cart or truck.
Chapter 24, MVCC, Section 24.3.3	Requires hazardous materials storage facilities to be secured from public access.
Chapter 24, MVCC, Section 24.3.4	Requires adequate spill prevention and clean-up materials be maintained on site for leaks and spills.
Chapter 24, MVCC, Section 24.6.0	Allows City to conduct inspections for ascertaining compliance with Chapter 24.
Chapter 24, MVCC, Section 24.6.0(a)	Allows City to enter any structure or premises when an enforcement officer has reason to believe a violation has occurred.

LEGAL AUTHORITY	DESCRIPTION
Chapter 24, MVCC, Section 24.7.2	Requires a facility using/storing hazardous materials to provide a closure plan describing their procedures for terminating hazardous materials storage. This includes providing proof of proper removal via hazardous waste manifests, bills of lading, etc. The City may require soil/groundwater samples for suspect areas. All tanks and sumps must also be removed via permit.
Chapter 35, MVCC, Section 35.31.3	Prohibits discharge of sanitary sewage, industrial wastes or polluted waters to curbside gutter, storm sewer, storm drain or other natural outlet. Defines unlawful discharges to storm drain. Outlaws discharges of any pollutants or waters containing pollutants that violate the City's stormwater discharge permit or applicable water quality standards.
Chapter 35 MVCC, Section 35.31.1	Authorizes the City to enter a facility for violations constituting an immediate or substantial danger to public health, safety and welfare.
Chapter 35 MVCC, Section 35.32.10.1	Authorizes City to require "adequate protection" to prevent discharge of polluted water, hazardous materials, industrial wastes, or other wastes. Such protection includes "facilities" or "engineering controls".
Chapter 35 MVCC, Section 35.32.10.1(B)	Requires immediate clean-up of spills or leaks.
Chapter 35 MVCC, Section 35.32.10.1(C)	Requires dischargers to maintain adequate supplies of spill prevention and clean-up equipment on site.
Chapter 35 MVCC, Section 35.32.10.1(D)	Prohibits interior floor drains to be connected to the storm sewer system.
Chapter 35 MVCC, Section 35.32.10.1(E)	Prohibits open containers containing hazardous materials or wastes from being left unattended unless in use or secondarily contained.
Chapter 35 MVCC, Section 35.32.10.1(G)	Requires floor cleaning to be conducted using "3-step method" and disposing in sanitary sewer.

LEGAL AUTHORITY	DESCRIPTION
Chapter 35 MVCC, Section 35.32.10.1(I)	Requires all grease-generating facilities to have grease interceptors or traps. Requires new food service facilities to be equipped with a designated area for cleaning floor mats, containers and equipment. Requires new food service facilities to be equipped with covered and bermed area for their dumpsters.
Chapter 35 MVCC, Section 35.32.10.1(J)	Requires dischargers to label their storm drains in accordance with City's specifications.
Chapter 35 MVCC, Section 35.32.10.1(K)	Requires roof-mounted equipment or tanks containing liquids other than potable water to be secondarily contained or discharge to the sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(L)	Prohibits sacrificial zinc anodes which contact the water supply in water distribution systems. Prohibits devices using electricity to dissolve copper or silver into water distribution systems, cooling systems pools, spas or fountains.
Chapter 35 MVCC, Section 35.32.10.1(O)	Requires new vehicle or equipment fueling facilities to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the fueling area and extending the cover 10' beyond the fuel pumps, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in fueling area.
Chapter 35 MVCC, Section 35.32.10.1(P)	Requires new outdoor vehicle or equipment maintenance facilities to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the area, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in maintenance area.
Chapter 35 MVCC, Section 35.32.10.1(Q)	Requires new loading docks used for shipping or receiving hazardous materials to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the loading dock, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in loading dock area.

LEGAL AUTHORITY	DESCRIPTION
Chapter 35 MVCC, Section 35.32.10.1(R)	Requires new outdoor areas used for stockpile storage to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the area, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in outdoor storage areas.
Chapter 35 MVCC, Section 35.32.10.1(S)	Requires new high-erosion areas to be designed to prevent run-on of storm water and run-off of spills by: 1) covering the area and grading it or installing a berm/curb around the perimeter of the area or 2) Retrofitting the area with a treatment system to intercept sediment runoff.
Chapter 35 MVCC, Section 35.32.10.1(T)	Requires a SWPPP for projects exceeding 5 acres. Defines acceptable during-construction practices in the document "Stormwater Pollution Prevention Guidelines for Construction Projects".
Chapter 35 MVCC, Section 35.32.10.1(V)	Requires new parking garage floor drains on interior levels to be connected to an approved wastewater treatment system and discharge to the sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(W)	Requires new multi-family dwellings with 25 or more units to be equipped with a car wash connected to an approved treatment system and discharging to the sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(X)	Requires new swimming pools, spas and fountains to be installed with nearby accessible sanitary sewer clean-outs to allow for draining.

## Performance Standard and Supporting Documents for New Development Construction Inspections

### BEST MANAGEMENT PRACTICES AND CONTROL MEASURES

This section contains a list of best management practices (BMPs) and control measures used by the City of Mountain View in implementing the new Development Construction Inspections performance standard. The goal in identifying these requirements for new development construction inspections includes:

- preventing spills and leaks of hazardous materials to the ground and storm drain;
- assuring that appropriate clean-up equipment is available to initiate quick response and minimize discharge of pollutants to the storm drain;
- maintaining employee training which includes proper handling of hazardous materials, spill response capabilities, and overall knowledge of the goals of these environmental programs;
- preventing erosion;
- controlling transport of sediment;
- preventing contact of pollutants with rainfall and runoff;
- limiting disturbance of natural topography, drainage systems and vegetation;
- controlling and treating runoff from graded or disturbed areas;
- limiting construction access routes; and
- ensuring proper operations and maintenance of all proposed BMPs.

#### I. General Requirements

The following requirements shall be met on all construction projects within the City of Mountain View.

##### A. Nonhazardous Material/Waste Management

###### 1. Designated Areas

- a. The CONTRACTOR shall designate areas of the project site suitable for material delivery, storage, and waste collection that, to the maximum extent practicable, are near construction entrances and away from catch basins, gutters, drainage courses, and creeks.

###### 2. Granular Material

- a. The CONTRACTOR shall store granular material at least ten feet away from catch basin and curb returns.
- b. The CONTRACTOR shall not allow granular material to enter the storm drains or creeks.
- c. When rain is forecast within 24 hours or during wet weather, the CONTRACTOR shall cover the granular material with a tarpaulin and surround the material with sand bags.

###### 3. Dust Control

- a. The CONTRACTOR shall use reclaimed water to control dust on a daily basis.

4. Street Sweeping

- a. At the end of each working day, the CONTRACTOR shall clean and sweep roadways and on-site paved areas of all materials attributed to or involved in the work. The CONTRACTOR shall not use water to flush down streets in place of street sweeping.

5. Recycling

- a. The CONTRACTOR shall recycle aggregate base material, asphalt concrete, and Portland cement concrete to the maximum extent practicable.
- b. The CONTRACTOR shall reuse or recycle any useful construction materials generated during the project to the maximum extent practicable.

6. Disposal

- a. At the end of each working day, the CONTRACTOR shall collect all scrap, debris, and waste material, and dispose of such materials properly.
- b. The CONTRACTOR shall inspect dumpsters for leaks and contact trash hauling contractors to replace or repair dumpsters that leak.
- c. The CONTRACTOR shall not discharge water on-site from cleaning dumpsters.
- d. The CONTRACTOR shall arrange for regular waste collection before dumpsters overflow.

B. Hazardous Material/Waste Management

1. Storage

- a. The CONTRACTOR shall label and store all hazardous materials (such as pesticides, paints, thinners, solvents, and fuels) and all hazardous wastes (such as waste oil and antifreeze) in accordance with the City of Mountain View Hazardous Materials Storage Ordinance and all applicable State and Federal regulations.
- b. The CONTRACTOR shall store all hazardous materials and all hazardous wastes within approved secondary containment, and it is recommended that these materials and wastes be covered, as needed, to avoid potential management of collected rain water as a hazardous waste.
- c. The CONTRACTOR shall keep an accurate, up-to-date inventory, including Material Safety Data Sheets (MSDS), of hazardous materials and hazardous wastes stored on-site, to assist emergency response in the event of a hazardous materials incident.

2. Usage

- a. When rain is forecast within 24 hours or during wet weather, the CONTRACTOR shall not apply chemicals in outside areas.
- b. The CONTRACTOR shall not over-apply pesticides or fertilizers and shall follow material manufacturer's instructions regarding uses, protective equipment, ventilation, flammability, and mixing of chemicals. Over-application of a pesticide constitutes a "label violation" subject to an enforcement action by the Santa Clara County Agriculture Department.

3. Disposal

- a. The CONTRACTOR shall arrange for regular hazardous waste collection to comply with time limits on storage of hazardous wastes.
- b. The CONTRACTOR shall dispose of hazardous waste only at authorized and permitted Treatment, Storage, and Disposal Facilities, and use only licensed hazardous waste haulers



to remove the waste off-site, unless quantities to be transported are below applicable threshold limits for transportation specified in State and Federal regulations.

c. If the CONTRACTOR qualifies as a "Conditionally Exempt Small Quantity Generator" as defined under State and Federal regulations and if the CONTRACTOR's business office is located in East Palo Alto, Los Altos, Los Altos Hills, Mountain View, Palo Alto, or Stanford, then the CONTRACTOR may dispose of this waste through a City-sponsored program. Information on this program may be requested by calling (415) 496-6980.

#### C. Spill Prevention and Control

1. The CONTRACTOR shall keep a stockpile of spill cleanup materials, such as rags or absorbents, readily accessible on-site.
2. The CONTRACTOR shall immediately contain and prevent leaks and spills from entering storm drains, and properly clean up and dispose of the waste and cleanup materials. If the waste is hazardous, the CONTRACTOR shall handle the waste as described in section IB3 above.
3. The CONTRACTOR shall not wash an spilled material into streets, gutters, storm drains, or creeks and shall not bury spilled hazardous materials.
4. The CONTRACTOR shall report any hazardous materials spill to the City of Mountain View Environmental Safety Division at (415) 903-6378.

#### D. Vehicle/Equipment Cleaning

1. The CONTRACTOR shall not perform vehicle or equipment cleaning on-site or in the street using soaps, solvents, degreasers, steam cleaning equipment, or equivalent methods.
2. The CONTRACTOR shall perform vehicle or equipment cleaning, with water only, in a designated, bermed area that will not allow rinse water to run off-site or into streets, gutters, storm drains, or creeks.

#### E. Vehicle/Equipment Maintenance and Fueling

1. The CONTRACTOR shall perform maintenance and fueling of vehicles or equipment in a designated, bermed area or over a drip pan that will not allow run-on of storm water or runoff of spills.
2. The CONTRACTOR shall use secondary containment, such as a drip pan, to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured.
3. The CONTRACTOR shall keep a stockpile of spill cleanup materials, such as rags or absorbents, readily accessible on-site.
4. The CONTRACTOR shall clean up leaks and spills of vehicle or equipment fluids immediately and dispose of the waste and cleanup materials as hazardous waste, as described in section IB3 above.

5. The CONTRACTOR shall not wash any spilled materials into streets, gutters, storm drains, or creeks and shall not bury spilled hazardous materials.
6. The CONTRACTOR shall report any hazardous materials spill to the City of Mountain View Environmental Safety Division at (415) 903-6378.
7. The CONTRACTOR shall inspect vehicles and equipment arriving on-site for leaking fluids and shall promptly repair leaking vehicles and equipment. Drip pans shall be used to catch leaks until repairs are made.
8. The CONTRACTOR shall recycle waste oil and antifreeze to the maximum extent practicable.
9. The CONTRACTOR shall comply with Federal, State, and City requirements for aboveground storage tanks.

#### F. Contractor Training and Awareness

1. The CONTRACTOR shall train all employees/subcontractors on the storm water pollution prevention requirements contained in these Specifications.
2. The CONTRACTOR shall inform subcontractors of the storm water pollution prevention requirements and include appropriate subcontract provisions to ensure that these requirements are met.
3. The CONTRACTOR shall post warning signs in areas treated with chemicals.
4. The CONTRACTOR shall paint new catch basins, constructed as part of the project, with the "No Dumping" stencil available from the Mountain View Environmental Safety Division at (415) 903-6378.

## II. Activity-Specific Requirements

The following requirements shall be met on all construction projects within the City of Mountain View that include the listed activities.

### A. Dewatering Operations

1. Sediment Control
  - a. The CONTRACTOR shall route water through a control measure (such as a sediment trap, sediment basin, or Baker tank) to remove settleable solids prior to discharge to the storm drain system.
  - b. Filtration of the water following the control measure may be required on a case-by-case basis.
  - c. The CONTRACTOR shall reuse water for other needs, such as dust control or irrigation, to the maximum extent practicable.
2. Contaminated Groundwater
  - a. If the project is within an area of known groundwater contamination, then water from

dewatering operations shall be tested prior to discharge. If the water quality meets Regional Water Quality Control Board (RWQCB) standards, then it may be discharged to the storm drain. If the water quality meets the discharge limits specified in the City of Mountain View's Industrial Wastewater Discharge Ordinance (Chapter 35, MVCC) then it may be discharged to the sanitary sewer with prior approval from the Mountain View Environmental Safety Division. Otherwise, the water shall be treated or hauled off-site for proper disposal.

b. If the project is not within an area of known groundwater contamination, then monitoring shall only be required if directed by the Mountain View Environmental Safety Division (903-6378). The CONTRACTOR shall follow section IIA2a above, if contamination is found.

c. If the project is found to be within an area of groundwater contamination not previously identified, a change order shall be negotiated to cover additional work performed by the CONTRACTOR.

## B. Paving Operations

### 1. Project Site Management

a. When rain is forecast within 24 hours or during wet weather, the CONTRACTOR shall not perform paving operations.

b. The CONTRACTOR shall protect drainage courses by using control measures (such as earth dike, straw bale, or sand bag) to divert runoff or trap and filter sediments.

c. The CONTRACTOR shall place drip pans or absorbent material under paving equipment when not in use.

d. The CONTRACTOR shall cover catch basins and manholes when paving or applying seal coat, tack coat, slurry seal, or fog seal.

e. If the paving operation includes an on-site mixing plant, the CONTRACTOR shall comply with Santa Clara County General Industrial Activities Storm Water Permit requirements.

### 2. Paving Waste Management

a. The CONTRACTOR shall not sweep or wash down excess sand (placed as part of a sand seal or to absorb excess oil) into gutters, storm drains, or creeks. Instead, the CONTRACTOR shall either collect the sand and return it to the stockpile, or dispose of it in a trash container. The CONTRACTOR shall not use water to wash down fresh asphalt concrete pavement.

## C. Saw Cutting

1. During saw cutting, the CONTRACTOR shall cover or barricade catch basins using control measures (such as filter fabric, straw bales, sand bags, and fine gravel dams) to keep slurry out of the storm drain system. When protecting a catch basin, the CONTRACTOR shall ensure that the entire opening is covered.

2. The CONTRACTOR shall shovel, absorb, or vacuum saw cut slurry and pick up the waste prior to moving to the next location or at the end of each working day, whichever is sooner.

3. If saw cut slurry enters catch basins, the CONTRACTOR shall remove the slurry from the storm drain system immediately.

#### D. Contaminated Soil Management

1. On all projects involving grading or excavation, the CONTRACTOR shall look for contaminated soil as evidence by site history, discoloration, odor, differences in soil properties, abandoned underground tanks or pipes, or buried debris. The CONTRACTOR shall follow section IID2 below if contamination is found.
2. If the project is within an area of known soil contamination and no evidence of soil contamination is found, then soil from grading or excavation operations shall be tested. The soil shall be managed as required by the Mountain View Environmental Safety Division (415-903-6378).
3. If the project is found to be within an area of soil contamination not previously identified, a change order shall be negotiated to cover additional work performed by the CONTRACTOR.

#### E. Concrete, Grout, and Mortar Waste Management

##### 1. Material Management

- a. The CONTRACTOR shall store concrete, grout, and mortar away from drainage areas and ensure that these materials do not enter the storm drain system.

##### 2. Concrete Truck/Equipment Wash Out

- a. The CONTRACTOR shall not wash out concrete trucks or equipment into streets, gutters, storm drains, or creeks.
- b. The CONTRACTOR shall perform washout of concrete trucks or equipment off-site or in a designated area on-site where the water will flow onto dirt or into a temporary pit in a dirt area. The CONTRACTOR shall let the water percolate into the soil and dispose of the hardened concrete in a trash container. If a suitable dirt area is not available, then the CONTRACTOR shall collect the wash water and remove it off-site.

##### 3. Exposed Aggregate Concrete Wash Water

- a. The CONTRACTOR shall avoid creating runoff by draining water from washing of exposed aggregate concrete to a dirt area. If a suitable dirt area is not available, then the CONTRACTOR shall filter the wash water through straw bales or equivalent material before discharging to the storm drain.
- b. The CONTRACTOR shall collect and return sweepings from exposed aggregate concrete to a stockpile or dispose of the waste in a trash container.

#### F. Painting

##### 1. Painting Cleanup

###### a. Designated Area

- i. The CONTRACTOR shall conduct cleaning of painting equipment and tools in a designated area that will not allow run-on of storm water or runoff of spills.
- ii. The CONTRACTOR shall not allow wash water from cleaning of painting equipment and tools into streets, gutters, storm drains, or creeks.

b. Water-Based Paint

- i. The CONTRACTOR shall remove as much excess paint as possible from brushes, rollers, and equipment before starting cleanup.
- ii. To the maximum extent practicable, the CONTRACTOR shall dispose of wash water from aqueous cleaning of equipment and tools to the sanitary sewer.
- iii. Otherwise, the CONTRACTOR shall direct wash water onto dirt area and spade in.

c. Oil-Based Paint

- i. The CONTRACTOR shall remove as much excess paint as possible from brushes, rollers, and equipment before starting cleanup.
- ii. To the maximum extent practicable, the CONTRACTOR shall filter paint thinner and solvents for reuse.
- iii. The CONTRACTOR shall dispose of waste thinner and solvent and sludge from cleaning of equipment and tools as hazardous waste, as described in section IB 1c above.

2. Material/Waste Management

- a. The CONTRACTOR shall store paint, solvents, chemicals, and waste materials in compliance with the City of Mountain View Hazardous Materials Storage Ordinance and all applicable State and Federal regulations. The CONTRACTOR shall store these materials in a designated area that will not allow run-on of storm water or runoff of spills.
- b. The CONTRACTOR shall dispose of excess thinners, solvents, oil- and water-based paint as hazardous waste.
- c. The CONTRACTOR shall dispose of dry, empty paint cans/buckets, old brushes, rollers, rags, and drop cloths in the trash.

G. Earthwork

- a. The CONTRACTOR shall periodically clean all catch basins and drain inlets to keep them free of debris and sediment.
- b. The CONTRACTOR shall periodically sweep streets and driveways to keep them free of debris and sediment.
- c. The CONTRACTOR shall minimize dragging construction dirt and sediments off-site by installing gravel driveways at all exits.
- d. The CONTRACTOR shall minimize slope and soil erosion by using erosion-control fabric or fast-growing grass seed. The CONTRACTOR shall place stabilized hay bales down-slope until soil is secure.

## Performance Standard and Supporting Documents for New Development Construction Inspections

### STANDARD OPERATING PROCEDURES

This section presents the standard operating procedures (SOPs) that the City of Mountain View uses for implementation of the performance standard, and identifies the division(s) within the City that are responsible for their implementation.

#### Performance Standard #1:

- The City ensures through a construction inspection program that construction contractors properly store, use, and dispose of construction materials, chemicals, and wastes at construction sites and prevent illicit discharges to storm drains and watercourses.

#### Responsible Division:

Environmental Safety Division, Fire Department

#### Standard Operating Procedures:

The City of Mountain View's Environmental Safety Division is responsible for conducting its construction inspection program. The primary functions of the inspector include:

- inspecting and effectively prohibiting non-stormwater discharges;
- visually observing the quality of storm water runoff during and after a major storm event whenever possible;
- assessing the proper implementation and maintenance of erosion control and materials/waste management and BMPs.

This program targets projects for which building permits have been issued and which have the potential for contaminating storm water runoff. Each month, a list is printed of all the building permits issued the previous month. That list is reviewed, and those projects which have the potential to impact storm water quality are identified for follow-up inspections. Projects for follow-up inspection would include home additions, foundation work, new commercial or industrial buildings, etc. These projects are also entered into the city's database, along with the results of the initial inspection. If the project is large or may take more than a month to complete, follow-up inspections are conducted until the project has been completed.

The City of Mountain View ensures that its inspections include the items identified in this performance standard by placing them in its standardized "Construction Activity Discharge Compliance Notice". A copy of this notice is attached in the Appendix.

#### Performance Standard #2:

- For development projects with significant erosion potential and planned construction activity during the wet season, the City ensures, through a construction inspection program, that erosion and/or sediment control measures are implemented in accordance with local ordinances and project conditions of approval and maintained as needed during construction.

**Responsible Division:**

Environmental Safety Division, Fire Department

**Standard Operating Procedures:**

An erosion control plan requirement is a standard condition of approval for projects which may occur during the wet season (see the "New Development Planning Procedures" performance standard for additional information on "standard conditions of approval"). The applicant is required to include his/her written erosion control plan in its building plan submittal. Failure to provide a written plan is grounds for rejection of the building plan submittal.

In addition to requiring a written plan, the city also inspects for erosion and sediment control during its on-site construction inspection. The inspector may require additional or modified measures, depending on the actual performance these measures exhibit in the field. A copy of the city's standardized "Construction Activity Discharge Compliance Notice" is attached in the Appendix, which include items relating to erosion and sediment control.

**Performance Standard #3:**

- The City inspects construction sites for adequacy of storm water quality control measures on a regular basis, with the frequency of inspections based on the size of the project and its potential impact on storm water quality.

**Responsible Division:**

Environmental Safety Division, Fire Department

**Standard Operating Procedures:**

As discussed in performance standard #1 above, the City reviews a list of all building permit projects approved the previous month, and identifies those projects which may have an impact on storm water quality. These identified projects are entered into the City's environmental computer database for inspection and tracking. The city does not further prioritize this list into "high" or "low" priority.

That month, the inspector attempts to inspect all newly identified projects, plus those from previous months that have not been completed. Follow-up inspections continue on a 30-day cycle: if a project is not completed during the inspection one month, it will continue to be inspected each subsequent month until completed, or at least until the portion of the project that may affect storm water quality is completed.

The inspector uses the environmental compliance database to assure that follow-up inspections are conducted each month. The "Enforcement Response Plan" included in the Appendix serves as the basis for enforcement of this performance standard. In practical terms, due to the compressed length of time of construction projects and the immediate problems that may result during the rainy season, the enforcement process (including issuance of administrative fines, stop-work orders, etc.) is also accelerated.

**Performance Standard #4:**

- Prior to the beginning of the wet season each year, the City inspects all sites requiring

erosion and/or sediment control plans, to ensure that measures have been taken to minimize discharges of sediment from disturbed areas.

Responsible Division:  
Environmental Safety Division, Fire Department

Standard Operating Procedures:  
Prior to the beginning of the wet season, the inspector identifies and inspects all projects for which erosion and/or sediment control plans have been submitted to assure that they are being implemented and that they are appropriate for the project. In addition, the inspector performs general "drive-arounds" throughout the city to identify any additional projects (such as non-permitted do-it-yourself projects) that may pose sediment/erosion problems. Once identified, a full "construction inspection" is conducted using the City's "Construction Activity Discharge Compliance Notice".

**Performance Standard #5:**

- During the wet season of each year, the City inspects all construction sites requiring erosion and/or sediment control plans following each major storm event or series of events.

Responsible Division:  
Environmental Safety Division, Fire Department

Standard Operating Procedures:  
The inspector attempts to perform his/her inspections each month during or directly after major storm events. While this is not always possible, adhering to a 30-day inspection frequency assures that problems are still identified and corrected in a timely fashion. As discussed above, the results of these inspections are logged into the city's environmental computer database and follow-up is conducted if violations are identified.

**Performance Standard #6:**

- The City provides training annually to its construction inspection staff on inspection procedures, documentation, and enforcement related to storm water pollution prevention.

Responsible Division:  
Environmental Safety Division, Fire Department

Standard Operating Procedures:  
Annual training for all city staff involved in the various aspects of the urban runoff program is a standard operating procedure. This includes training of our own Environmental Safety Division staff which is responsible for construction inspections. The "Construction Activity Notice" (included in the Appendix), serves as the basis for this training.

In addition to the formalized annual training, the inspector also obtains ongoing training in the field based on varied circumstances. When situations arise for which the inspector does not have experience, he is encouraged to contact other agencies as well as the RWQCB to obtain their recommendations. In some cases, he will allow the contractor to experiment with new BMPs or new control measures to determine their practicality and effectiveness in the field.



**Performance Standard #7:**

- The City provides outreach materials to contractors, developers, and municipal staff on construction BMPs and compliance with the State General Construction Activity Storm Water Permit.

Responsible Division:

Environmental Safety Division, Fire Department

Standard Operating Procedures:

The Environmental Safety Division provides general construction outreach materials to contractors and developers whenever it can. One appropriate mechanism for distribution is during "pre-construction" meetings held between the applicant and various city departments. These meetings are convened as a way of discussing the project with the applicant, reviewing city requirements, and identifying problems or areas that may affect the approval timeline on the project prior to the formal application process.

The Environmental Safety Division also attaches its booklet entitled "It's In The Contract" to all building plan submittals for which construction inspections will occur. This booklet contains all the best management practices and control measures that the contractor should use throughout the building process. The information in this booklet is included in this performance standard in the "Best Management Practices and Standard Operating Procedures" section. The City's inspection form (the "Construction Activity Notice") includes these same items, thereby ensuring that the actual inspection is covering the material provided in the booklet.

This information is also provided to city staff and reviewed during its annual training sessions and during project review.

**Performance Standard #8:**

- The City conducts an annual effectiveness evaluation to determine what modifications in the program are warranted to ensure continuous improvement.

Responsible Division:

Environmental Safety Division, Fire Department

Standard Operating Procedures:

At the end of each year, the Environmental Safety Division evaluates the list of projects inspected during the year and the overall inspection program. The evaluation will summarize those portions of the inspection program which are running smoothly and are being implemented successfully, as well as those portions for which problems have arisen. Based on the evaluation, modifications may be made to this performance standard in effort to maintain continuous improvement towards meeting the overall program goals.

**Performance Standard #9:**

- The City includes a summary of construction inspections and enforcement actions taken during the past year as part of its Annual Report.

Responsible Division:

Environmental Safety Division, Fire Department

Standard Operating Procedures:

This summary will be included as part of the Annual Report.

**Performance Standard and Supporting Documents for  
New Development Construction Inspections**

**CITY OF MOUNTAIN VIEW ANNUAL REPORT FORM**

The form listed below will be submitted as the City's Annual Report. The Annual Report will identify whether the City of Mountain View has complied with the Construction Inspections performance standard during the previous year. Additional supporting documentation will be maintained at City offices and made available for public review.

1) Has the City implemented a construction inspection program to ensure that contractors properly store, use, and dispose of construction materials, chemicals, and wastes at construction sites and prevent illicit discharges to storm drains and watercourses?

Yes       No If no, provide a detailed explanation and time schedule for implementation.

2) For development projects with significant erosion potential and planned construction activity during the wet season, does the City ensure that erosion and/or sediment control measures are implemented in accordance with local ordinances and project conditions of approval and maintained as needed during construction?

Yes       No If no, provide a detailed explanation and time schedule for implementation.

3) Does the City inspect construction sites for adequacy of storm water quality control measures on a regular basis, with the frequency of inspections based on the size of the project and its potential impact on storm water quality?

Yes       No If no, provide a detailed explanation and time schedule for implementation.

4) Prior to the beginning of the wet season each year, does the City inspect all sites requiring erosion and/or sediment control plans to ensure that measures have been taken to minimize discharges of sediment from disturbed areas?

Yes       No If no, provide a detailed explanation and time schedule for implementation.

5) During the wet season of each year, does the City inspect all construction sites requiring erosion and/or sediment control plans following each major storm event or series of events?

Yes       No If no, provide a detailed explanation and time schedule for implementation.

6) Does the City provide training annually to its construction inspection staff on inspection procedures, documentation, and enforcement related to storm water pollution prevention?

Yes       No If yes, describe training provided during the past year.  
If no, provide a detailed explanation and time schedule for  
implementation.

7) Does the City provide outreach materials to contractors, developers, and municipal staff on construction Best Management Practices and compliance with the State General Construction Activity Storm Water Permit?

Yes       No If no, provide a detailed explanation and time schedule for  
implementation.

8) Does the City conduct an annual effectiveness evaluation to determine what modifications in the program are warranted to ensure continuous improvement?

Yes       No If yes, include the effectiveness evaluation in the Annual Report.  
If no, provide a detailed explanation and time schedule for implementation.

9) Does the City includes a summary of construction inspections and enforcement actions taken during the past year as part of its Annual Report?

Yes       No If no, provide a detailed explanation and time schedule for implementation.

# APPENDICES

## CITY OF MOUNTAIN VIEW ENFORCEMENT RESPONSE PLAN

### I. PURPOSE OF THIS DOCUMENT

To reduce duplication of effort between city departments and streamline the reporting and permitting requirements of multiple environmental programs for the business community, the City of Mountain View consolidated its environmental enforcement programs within the Environmental Safety Division of the Mountain View Fire Department. Many of the state and federal oversight agencies for these environmental programs require the local administering agency to have some sort of "enforcement response plan" to competently enforce the laws and regulations for their particular program. In an effort to avoid authoring a separate plan for each program administered by the city, a single comprehensive plan which covers all programs was deemed more appropriate. The purpose of this document is to describe the general flow of the enforcement escalation process as well as outline the enforcement actions available to the city while administering these programs.

### II. LEGAL AUTHORITY

Currently, the Environmental Safety Division of the Mountain View Fire Department administers and enforces the following programs within the city limits of Mountain View, California:

#### Environmental Program

- Hazardous Materials Program

#### Authority

Chpt. 24, MVCC &  
H&S Code, Div. 20, Chpt. 6.95, Art. 1 &  
Title 19 CCR Sec. 2620-2732

- Toxic Gas Program

Chpt. 24, MVCC

- Underground Storage Tank Program

H&S Code, Div. 20, Chpt. 6.7 &  
Title 23, Div.3, Chpt. 16 CCR

- Industrial Pretreatment Program  
(Sanitary Sewer Discharges)

Chpt. 35, MVCC & 40 CFR

- Santa Clara Valley Urban Runoff Program  
(Storm Sewer Discharges)

Chpt. 35, MVCC

- Hazardous Waste Generator Onsite Treatment  
(PBR, CA and CE tiers)

H&S Code, Div. 20, Chpt. 6.5 &  
Div. 4.5, Title 22 CCR

- Aboveground Storage Tank Program Spill  
Prevention Control and Countermeasure Plan

H&S Code, Div. 20, Chpt. 6.67,  
Sec. 25270.5(c)

### III. ENFORCEMENT PHILOSOPHY

The City of Mountain View's enforcement philosophy is to allow the responsible party every opportunity to succeed in complying with the directives issued. To promote this approach, inspection staff are trained to consider their primary function as that of educator and consultant resource, and only secondarily as enforcing agent. City staff explain and document all violations and offer options available for compliance. City staff also provide the responsible party lists of contractors, vendors, and other environmental professionals if requested, or if the inspector feels that such outside help is needed by the responsible party to achieve compliance. City staff work cooperatively with the responsible party during large or extended compliance projects to ensure that progress is continually being made towards full compliance.

### IV. ENFORCEMENT ESCALATION PROCESS (See attached diagram)

#### Initial Inspection

A. An initial inspection may be conducted for a variety of reasons. These include:

- Routine or regularly-scheduled inspection (example: an annual inspection of a toxic gas facility or a wastewater discharger regulated under a federal category);
- Non-routine inspection (example: an unannounced inspection of a painting contractor to assure that quantities of flammable liquids has not been increased to exceed his permit amounts);
- Referral from an engine company or other fire inspector (example: an engine company calls to say they inspected a new woodworking facility which did not have a hazardous materials permit);
- Referral from a city employee/division (example: personnel from the city's "streets" division call to report they witnessed a restaurant employee washing floor mats into the alley which discharges into the storm drain);
- Referral from neighboring facility or resident (example: a neighborhood resident calls to complain they saw a carpet cleaning company dumping wastewater into the street).

B. The inspection process is described below. These items meet or exceed Health and Safety Code section 25185 as required for hazardous waste and tiered permitting (hazardous waste treatment) inspections.

- An inspector may enter and inspect a factory, plant, construction site, disposal site, transfer facility, or any establishment or any other place or environment where hazardous materials or hazardous wastes are stored, handled, processed, disposed of, or being treated to recover resources.
- An inspector may carry out sampling activities, including obtaining samples from any individual or taking samples from the property of any person or from any vehicle in which any inspector reasonably believes has transported or is transporting hazardous waste. However, upon request, split samples shall be given to the person from whom, or from whose property or vehicle, the samples were obtained.
- An inspector may stop and inspect any vehicle reasonably suspected of transporting hazardous wastes when accompanied by a uniformed peace officer in a clearly marked vehicle.
- An inspector may inspect and copy any records, reports, test results, or other information required to carry out enforcement of the environmental programs listed in this plan.
- An inspector may photograph any waste, waste or hazardous materials container, waste or hazardous materials container label, vehicle, waste treatment process, waste disposal site, or condition constituting a violation of law found during an inspection.

During the inspection, the inspector shall comply with all reasonable security, safety, and sanitation measures. In addition, the inspector shall comply with reasonable precautionary measures specified by the operator.

At the conclusion of the inspection, the inspector shall deliver to the operator of the facility or site a written summary of all violations ("SOV") alleged by the inspector. The inspector shall, prior to leaving the facility or site, deliver the written summary to the operator and shall discuss any questions or observations that the operator might have concerning the inspection.

When the number, type or complexity of the violations warrant such actions, the inspector may prepare a separate inspection report which fully detail all observations made at the facility or site, all alleged violations, the factual basis for alleging those violations, and any corrective actions that should be taken by the operator of the facility or site. The inspector shall provide a copy of the inspection report to the operator within two weeks of the inspection. The inspection report shall include all pertinent information, including, but not limited to, documents, photographs, and sampling results concerning the alleged violations. The inspector shall provide this information to the operator with the inspection report, including all photographs taken by the inspector in the course of the inspection and all laboratory results obtained as a result of the inspection. If sampling or laboratory results are not available at the time that the inspection report is prepared, that fact shall be contained in the report. Those results shall be provided to the operator within 10 working days of their receipt by the inspector.

The time period required by the above paragraph may be extended as a result of a natural disaster, inspector illness, or other circumstances beyond the control of the inspector if the Fire Department so notifies the operator and provides the inspection report to the operator in a timely manner after the reason for the delay is ended.

Information from the inspection report, or the report itself, may be withheld by the Fire Department if necessary to a criminal investigation or other ongoing investigation in which the Fire Department determines, in writing, that disclosure of the information will result in a substantial probability of destruction of evidence, intimidation of witnesses, or other obstruction of justice.

The Fire Department shall, at the operator's request, discuss the inspection report with the operator, review the inspection report and determine whether the operator's responses and documented or proposed corrective actions would be sufficient to comply with the requirements, or if any allegation of a violation is unwarranted.

The operator of the site or facility which receives an inspection report or SOV pursuant to the above shall submit a written response to the Fire Department within 60 days of receipt of the inspection report or SOV which shall include a statement documenting corrective actions taken by the operator or proposing corrective actions which will be taken by the operator, for purposes of compliance or disputing the existence of the violation. Upon receiving the written response from the operator, the Fire Department shall, upon the request of the operator, meet and confer with the operator regarding any questions, concerns or comments that the operator may have concerning the inspection report. The Fire Department shall, within 30 working days from the date of the SOV or receipt of a response which documents or proposes corrective action, or which disputes the existence of a violation, determine whether the corrective actions documented or proposed to be taken by the operator, if implemented as stated or proposed, will achieve compliance, or whether a violation is still alleged, as applicable, and shall submit a written copy of that determination to the operator, in the form of a report of violation or other appropriate document. If the Fire Department fails to make the determination and submit a copy of the determination within 30 working days from the date of receipt of the operator's response, the Fire Department may not seek penalties for continuing violations or any alleged new violations caused by the corrective actions taken by the operator, until the Fire Department submits the determination to the operator and provides the operator with a reasonable time in which to make necessary operational modifications which differ from those proposed to the Fire Department.

In lieu of requiring the operator of the site or facility to submit a written response to the Fire Department as described above, the Fire Department may waive this requirement and choose to conduct



follow-up inspections to verify compliance, as described in the sections of this plan entitled "First Reinspection", "Second Reinspection", and "Third Reinspection".

Whenever information, including, but not limited to, documents, photographs, and sampling results, has been gathered, the Fire Department shall notify the person whose facility was inspected prior to public disclosure of the information, and upon request of that person, shall submit a copy of any information to that person for the purpose of determining whether trade secret information, as defined in Health and Safety Code section 25713, or facility security would be revealed by the information. "Public disclosure" shall not include review of the information by a court of competent jurisdiction or an administrative law judge. That review may be conducted in camera at the discretion of the court or judge.

### C. Minor ("Non-significant") violations

The majority of violations observed during the course of the initial inspection are minor violations and do not require immediate corrective action. The following examples describe minor violations:

- Failure to completely update an Environmental Compliance Plan;
- Failure to keep secondary containment dry;
- Failure to calibrate a pH probe;
- Threatened (not actual) illegal discharges to the sanitary or storm sewer.

The procedures for documenting these violations and corrective actions are described below. These items meet or exceed Health and Safety Code section 25187.8 as required for hazardous waste and tiered permitting (hazardous waste treatment) inspections.

A "Notice to Comply" ("NTC") shall be given to the facility operator before leaving the site. A facility which receives an NTC shall have not more than 30 days from the date of receipt of the NTC in which to achieve compliance with the permit conditions, rule, regulation, standard, or other requirement cited on the NTC. Within five working days of achieving compliance, an appropriate person who is an owner or operator of, or an employee at, the facility shall sign the NTC and return it to the Fire Department which states that the facility has complied with the NTC. In lieu of submitting this statement, the inspector may verify that compliance has been achieved during a follow-up inspection.

A single NTC shall be issued for all minor violations cited during the same inspection and the NTC shall separately list each of the cited minor violations and the manner in which each of the minor violations may be brought into compliance.

An NTC shall not be issued for any minor violation which is corrected immediately in the presence of the inspector. Immediate compliance in that manner may be noted in the inspection report, but the facility shall not be subject to any further enforcement action by the Fire Department for these violations.

Except as otherwise provided below, an NTC shall be the only means by which the Fire Department shall cite a minor violation. The Fire Department shall not take any other enforcement action against a facility which has received an NTC if the facility complies with this section.

If a facility that receives an NTC disagrees with one or more of the alleged violations listed on the NTC, the owner shall give the person who issued the NTC written notice of disagreement. If the issuing agency takes administrative enforcement action on the basis of the disputed violation, that action may be appealed.

Notwithstanding any other provision of this plan, if a facility fails to comply with an NTC within the prescribed period, or if the Fire Department determines that the circumstances surrounding a particular minor violation or combination of minor violations are such that immediate enforcement is warranted to prevent harm to the public health or safety or the environment, the Fire Department may take any needed

enforcement action authorized under applicable federal, state, and local codes and ordinances.

Notwithstanding any other provision of this section, if the Fire Department determines that the circumstances surrounding a particular minor violation or combination of minor violations are such that the assessment of a civil penalty pursuant to this chapter is warranted or is required, in addition to issuance of an NTC, the Fire Department shall assess that civil penalty in accordance with applicable federal, state and local laws, regulations and ordinances if the Fire Department makes written findings that set forth the basis for that determination.

An NTC issued to a facility pursuant to this section shall contain an explicit statement that the facility may be subject to reinspection at any time by the Fire Department. Nothing in this section shall be construed as preventing the reinspection of a facility to ensure compliance with the applicable environmental programs or to ensure that minor violations cited in an NTC have been corrected and that the facility is in compliance.

Nothing in this section shall be construed as preventing the Fire Department from requiring a facility to submit reasonable and necessary documentation to support the facility's claim of compliance.

#### D. Major ("Significant") violations

Typically, if a major violation is observed, immediate action is taken by the inspector to mitigate the problem. A major violation is defined as one which represents a "significant threat to human health and safety or the environment". Major violations would also include chronic violations or violations committed by recalcitrant violators. The following examples describe major violations:

- Hazardous or unsafe conditions: for example, an employee is seen welding near a gasoline tank;
- Illegal discharge to sanitary sewer: for example, a laboratory is discharging acidic solutions directly into the sanitary sewer without treatment;
- Illegal discharge to storm sewer: for example, a commercial facility is discharging vehicle wash water directly to the ground, which flows to a nearby storm drain;
- Illegal disposal of hazardous materials/waste: for example, an automotive repair facility dumps waste oil onto the fence line of the property.

When immediate action is taken, the NTC will usually require the responsible party to immediately cease the non-compliant action and may provide for appropriate follow-up by a certain time, typically within several hours.

#### **First Reinspection**

The first reinspection is conducted to visually evaluate the progress made towards complying with the NTC issued in the initial inspection record. If all violations noted in the initial inspection record's NTC have been complied with, the enforcement process ends. If not, any remaining minor violations are recorded in the first reinspection record as an SOV. This record again includes an NTC which specifies the time by which compliance shall be achieved.

#### **Second Reinspection**

The second reinspection is conducted to visually evaluate the progress made towards complying with the NTC issued in the first reinspection record. If all violations noted in the first reinspection record's NTC have been complied with, the enforcement process ends. If not, any remaining minor violations are recorded in the second reinspection record as an SOV. This record again includes an NTC which specifies the time by which compliance shall be achieved.

The second reinspection, and all subsequent inspections, are billed to the responsible party on a per-hour

basis.

### **Notice of Violation**

A "Notice of Violation" may be issued to the responsible party when:

- Major violations are discovered or
- Minor violations have not been corrected or substantially corrected after the second reinspection.

The Notice is sent to the environmental contact of the responsible party via registered mail, as well as a copy to his/her superior. It essentially reiterates information already provided to the responsible party during the previous inspection, but emphasizes the severity of the situation, and provides written notice to more senior personnel. The Notice includes:

- An enumeration of the violations found;
- The inspection date(s);
- A directive to cease the violation immediately;
- A directive to investigate the cause of the problem (if applicable);
- A directive to report the findings of the investigation and provide evidence of return to compliance (if applicable);
- A directive to proceed with corrective actions; and
- A directive to complete prescribed corrective actions by a certain date.

The Notice may also stipulate a follow-up inspection date during which the inspector will visually evaluate the progress made towards complying with the violations recorded in the Notice.

### **Third Reinspection**

If all violations noted in the second reinspection record's NTC have been complied with, the enforcement process ends. If not, any remaining violations are recorded in the third reinspection record as an SOV, and enforcement action is escalated to the next step.

This inspection is billed to the responsible party on a per-hour basis.

## **V. ENFORCEMENT ACTIONS**

The inspector has a number of enforcement actions to choose from, depending on his/her judgement and experience as to which option will result in the most expeditious compliance:

### **1. "Stop Use" notice**

A "Stop Use" notice can address a specific piece of equipment if that equipment has not been permitted or is discharging wastewater illegally to the sanitary or storm sewer system. The inspector places the red "Stop Use" sign on the applicable piece of equipment. Should the inspector find that this equipment is being used after the sign is in place, a citation, infraction fine, or administrative penalty can be immediately assessed. The sign remains in place until the equipment is repaired, replaced or removed.

### **2. Citation (Criminal)**

Hazardous Materials Specialists and the Environmental Safety Manger are all authorized to issue field citations. Such a citation requires the inspector and responsible party to appear before a judge within 45 days. The judge makes the final determination on any compliance extensions and fines.

3. Amend existing permit

The inspector may choose to amend the responsible party's existing permit with additional or modified requirements. For example, a facility which has continually failed to update its ECP as required by ordinance may be additionally required in their permit to provide ECP updates every quarter.

4. Issue provisional permit

The inspector may choose to issue a provisional permit in place of the responsible party's full-term permit. Provisional permits describe the limited conditions under which the responsible party may continue its hazardous materials storage/use or wastewater discharge. Provisional permits are issued for a limited length of time (usually no more than 6 months). At the time of expiration of the provisional permit, the responsible party is required to have displayed full compliance with the directives issued so that a full-term permit can be re-issued.

5. Suspend/Revoke permit

The inspector may choose to suspend or revoke the responsible party's hazardous materials or industrial pretreatment permit. In such case, the applicable hazardous materials or wastewater producing equipment must be removed from the site within 30 days of written notice. Failure to remove the materials or equipment can result in issuance of a citation. Once the responsible party is able to demonstrate compliance with the directives issued, it must re-apply for a full-term permit.

6. Civil/Criminal litigation

Depending on the extent and severity of violations, as well as the degree to which the responsible party shows a genuine interest in correcting the violations, the inspector may refer the case to the District Attorney or City Attorney to pursue either civil or criminal litigation.

**VI. RECOVERY OF CITY CLEAN-UP COSTS**

If the responsible party does not remove abandoned hazardous materials, or clean-up discharged materials from City or public property (such as gutters, storm drains and creeks) the City may conduct the work. If so, the responsible party is billed by the City for time and materials. This billing procedure is conducted separately from any penalty action taken (described below).

**VII. PENALTIES/FINES**

The main purpose of a penalty/fine is to create an incentive for future compliance and to insure that the responsible party does not financially benefit from a failure to comply with the environmental programs administered by the City. The City has a number of penalties/fines it can assess the responsible party. They include:

Penalty Type	Limits	Authority	Assessed By	Comments
Infraction	\$100 for first offense; \$200 for second offense within the same year; \$500 per each additional offense within the same year.	MVCC 24.10.0	City of Mountain View Environmental Safety Division	Usually included in the "Notice of Violation"

Penalty Type	Limits	Authority	Assessed By	Comments
Civil	Not to exceed \$500 per day per violation (Hazardous Materials Ord.) -----	MVCC 24.10.0	City of Mountain View City Attorney or Santa Clara County District Attorney	May be initiated at any point in the enforcement process
	Not to exceed \$25,000 per day per violation (Wastewater Discharge Ord.)	----- MVCC 35.32.15.2		
Administrative Complaint*	\$2,000/day for failing or refusing to furnish technical/monitoring reports; \$3,000/day for failing or refusing to timely comply with compliance schedules; \$5,000 per day per violation for discharges in violation of any waste discharge limitation, permit condition or requirement; \$10 per gallon for discharges in violation of any prohibition issued by City	MVCC 35.32.15.4	City of Mountain View Environmental Safety Division	Usually included in a "Notice of Violation"; Responsible Party may request hearing prior to payment.
Criminal	As established by H&S Code	NA	Santa Clara County District Attorney	May be initiated at any point in the enforcement process

\*It should be noted that issuance of an administrative penalty (as part of an administrative complaint) requires a hearing on the complaint within 60 days, unless the responsible party waives his/her right to hearing. The Fire Chief acts as the hearing officer during this process. The responsible party has full recourse to appeal the hearing officer's decision to the City Council.

In determining the type and amount of the penalty/fine, the inspector considers all relevant circumstances including the following:

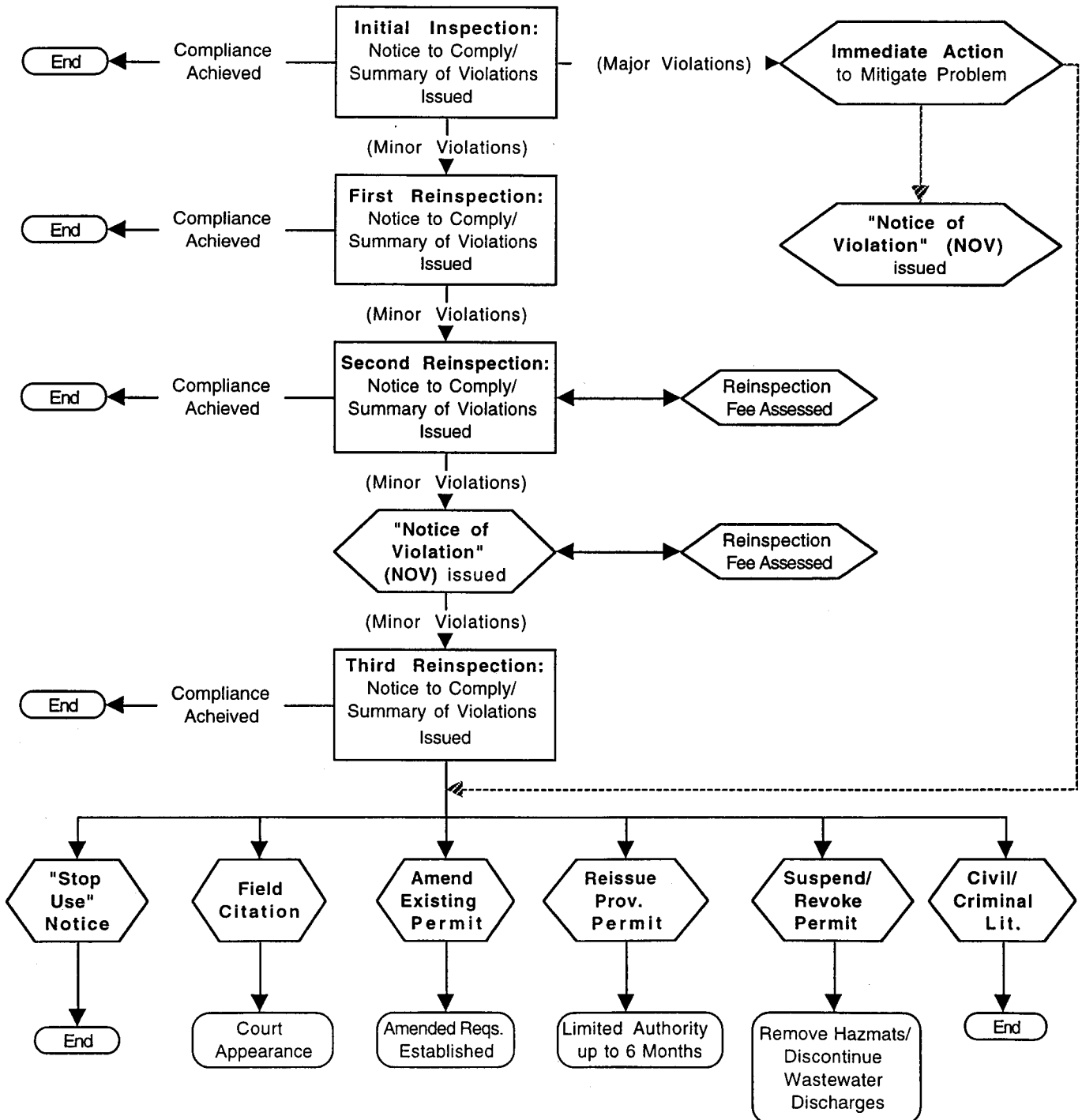
- Extent of harm or potential harm caused by the violation;
- The nature and persistence of the violation;
- The length of time over which the violation has occurred;
- The frequency of past violations;
- The responsible party's record of maintenance;
- Corrective action, if any, taken by the responsible party;
- The extent of negligence or willful misconduct of the responsible party;
- The ability of the responsible party to pay the penalty/fine.

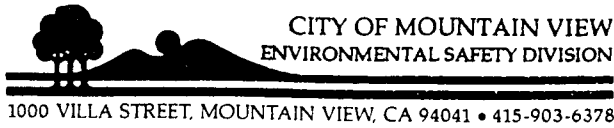
The following matrix is used as a general guideline in establishing penalty/fine assessments:

Violation Examples	Infraction Penalty	Civil Penalty	Admin. Penalty	Criminal Penalty
Failure to update Environmental Compliance Plan (ECP)	X			
Failure to obtain applicable permits (example: discharging process wastewater to the sanitary sewer without a permit)		X		X
Major violations (example: illegal disposal of hazardous materials/waste, illegal discharge to storm drain, etc.)			X	X
Minor violations, including administrative violations (example: failure to provide alarm on a pH probe, failure to provide emergency response training documentation, etc.)	X	X	X	

## City of Mountain View Environmental Safety Division Enforcement Escalation Process (11/96)

(Note: Penalties associated with infractions, administrative complaints, civil, or criminal litigation, may be assessed at any point in the enforcement escalation process.)





**CONSTRUCTION ACTIVITY  
DISCHARGE COMPLIANCE NOTICE**  
(Page 1 of 2)

Project Name \_\_\_\_\_ Project Address \_\_\_\_\_  
PC # (if applicable): \_\_\_\_\_ Site Contact \_\_\_\_\_ Contact Phone: \_\_\_\_\_  
Inspection Date: \_\_\_\_\_ Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_ Inspector \_\_\_\_\_

*All construction projects occurring within city limits shall be conducted in a manner which prevents the release of hazardous materials or hazardous waste to the soil or groundwater, and minimizes the discharge of hazardous materials, hazardous wastes, polluted water and sediments to the storm sewer system (MVCC 35.32.10.1(T))*

\*\*\*\*\*  
 **CITY AND STATE CODE REQUIRES COMPLIANCE WITH THE ITEMS CHECKED BELOW:**

**1. NON-HAZARDOUS MATERIAL/WASTE MANAGEMENT**

- a. Storage, delivery, & waste collection areas shall be at least 10' away from storm drains, gutters, creeks.
- b. Cover granular materials with tarpaulin anchored down with sand bags during wet weather.
- c. Provide non-leaking water-tight dumpsters and demolition boxes.
- d. Do not clean out dumpsters or demolition boxes on site.

**2. HAZARDOUS MATERIAL/WASTE MANAGEMENT (inc. paints, thinners, oils, gas, diesel)**

- a. Store hazardous materials under cover and provide secondary containment.
- b. Segregate incompatible hazardous materials.
- c. Do not dispose of any hazardous materials or wastes on site.
- d. Prevent runoff from over-application of fertilizers, pesticides, or herbicides.

**3. SPILL PREVENTION AND CONTROL**

- a. Store appropriate and adequate supply of spill clean-up materials on site.
- b. Clean up leaks and spills immediately.
- c. Do not wash any spilled materials into the street, gutters, storm drain, or creeks.

**4. DEWATERING OPERATIONS**

- a. Provide sediment trap, sediment basin, or settling tank to remove settleable solids prior to discharge.
- b. Provide filtration prior to discharge, if appropriate.
- c. Contaminated groundwater shall be disposed of only to the sanitary sewer. Analysis and wastewater discharge permit shall be obtained prior to discharge.

**5. PAVING OPERATIONS**

- a. Shall not be conducted during wet weather.
- b. Cover catch basins and drain inlets during application.
- c. Divert runoff away from storm drains, gutters, or creeks.
- d. Do not wash down applied materials into storm drains, gutters, or creeks. Wash onto dirt area or collect and return to stockpile.

**6. SAWCUTTING**

- a. Cover or barricade drop inlets with hay bales, filter fabric, sand bags, etc.
- b. Shovel, absorb or vacuum accumulated saw cut slurry daily.

**7. CONTAMINATED SOIL MANAGEMENT**

- a. Contaminated soil shall be stockpiled and covered with a tarpaulin anchored with sand bags.





**CONSTRUCTION ACTIVITY  
DISCHARGE COMPLIANCE NOTICE**  
(Page 2 of 2)

**8. CONCRETE, GROUT, and MORTAR MANAGEMENT**

- a. Concrete trucks and equipment shall not be washed out into the street, gutter or storm drain. Wash water shall be directed to a temporary pit in a dirt area.
- b. Exposed aggregate wash water shall be filtered prior to discharge or diverted to a level dirt area.

**9. PAINTING (Also see item # 2 & #3)**

- a. Painting tools and equipment shall not be washed out into the street, gutter or storm drain. Wash water shall be discharged to a sanitary sewer or directed to a temporary pit in a dirt area.

**10. VEHICLE EQUIPMENT CLEANING**

- a. Vehicle equipment washwater shall not be discharged into the street, gutter or storm drain. Wash water shall be directed to a bermed area or temporary pit in a dirt area.

**11. VEHICLE /EQUIPMENT MAINTENANCE AND FUELING (Also see item #3)**

- a. Maintenance and fueling shall be conducted in a designated bermed and contained area.
- b. Drain pans or other means to contain spills or leaks shall be employed.

**12. CONTROL OF EROSION AND SEDIMENT RUNOFF**

- a. Catch basins and drain inlets shall be cleaned to keep them free of debris and sediment.
- b. Streets and driveways shall be cleaned and swept to keep them free of debris and sediment.
- c. Dragging construction dirt and sediments offsite shall be minimized by installing gravel driveways at all exits.
- d. Slope and soil erosion shall be minimized using erosion-control fabric or fast-growing grass seed. Place hay bales down-slope until soil is secure.

Explanation/Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_ NO VIOLATIONS HAVE BEEN IDENTIFIED. THANK YOU FOR YOUR COOPERATION.

\_\_\_ VIOLATIONS LISTED ABOVE SHALL BE CORRECTED IN \_\_\_ DAYS. FAILURE TO CORRECT THESE VIOLATIONS MAY RESULT IN A STOP WORK ORDER UNTIL COMPLIANCE IS ACHIEVED.

\_\_\_ ALL VIOLATIONS HAVE BEEN CORRECTED. THANK YOU.

OCCUPANT'S SIGNATURE \_\_\_\_\_

# **CITY OF MOUNTAIN VIEW**

## **PUBLIC FACILITIES OPERATION AND MAINTENANCE PERFORMANCE STANDARDS**

### **PEST MANAGEMENT PERFORMANCE STANDARD**

**CITY OF MOUNTAIN VIEW  
MEMORANDUM**

DATE: September 1, 2004

TO: URMP File

FROM: Eric Anderson, Urban Runoff Coordinator

SUBJECT: **Public Facilities O&M - Performance Standard Review**

The Purpose of this memo is to document the City of Mountain View's review of its URMP and Performance Standards for Public Facilities O&M. No revisions have been made to this Performance Standard. The City's Pest Management Performance Standard is adopted and is included in this section of the URMP.

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**Performance Standard and Supporting Documents for  
Public Facilities Operation and Maintenance**

**INTRODUCTION**

**I. General**

Performance Standards define control measures or levels of achievement for particular tasks carried out by the Santa Clara Valley Urban Runoff Pollution Prevention Program (Program) co-permittees. Control measures are described in the Program's Storm Water Management Plan, which is the basis for the 1995-2000 NPDES municipal storm water permit (Permit) period. The development and implementation of Performance Standards is an integral part of the Program during the five-year Permit period.

**II. Purpose**

The purpose of this performance standard is to identify maintenance activity implementation levels to optimize control of pollutants in storm water from publicly-owned facilities. Public Facilities O&M activities involve a large range of discharges including those from pool and fountain drainage, vehicle maintenance activities, golf course maintenance, etc. This performance standard identifies the level of implementation for O&M activities, which the City of Mountain View will perform in order to control pollutants in storm water to the maximum extent practicable.

The performance standard is based on current and proposed practices that the City is/or will be implementing to minimize water quality impacts, and practices that are accepted by the State and Regional Board as being effective in controlling these impacts. The performance standard is also consistent with the goals and objectives of the Storm Water Management Plan.

**Performance Standard and Supporting Documents for  
Public Facilities Operation and Maintenance**

**DEFINITIONS**

- **Best Management Practices (BMPs)** - cost effective practices which comply with the City's NPDES storm water discharge permit and are accepted by the City of Mountain View and the Santa Clara Valley Urban Runoff program for minimizing discharges of polluted waters to the storm drain thereby protecting water quality in streams, the groundwater basin, and the bay.
- **Chapter 35, MVCC** - the City of Mountain View's Industrial Sewer Use Ordinance".
- **Chapter 24, MVCC** - the City of Mountain View's "Hazardous Materials Ordinance".
- **NPDES** - "National Pollution Discharge Elimination System" and refers to the county-wide permit for discharging to the waters of the state. The City of Mountain View is a co-permittee identified in this permit.
- **POTW** - "Publicly-Owned Treatment Works. This is the facility that treats wastewaters entering the sanitary sewer system and discharges them to the Bay.

**Performance Standard and Supporting Documents for  
Public Facilities Operation and Maintenance**

**PERFORMANCE STANDARD**

**1. Municipal Corporation Yards**

- The City will prepare a Storm Water Pollution Prevention Plan (SWPPP) for its Municipal Corporation Yard.
- The City will implement the SWPPP.

**2. Parks and Recreation**

- The City will implement BMPs for storage and application of fertilizers and pesticides.
- The City will implement equipment and vehicle washing BMPs.
- The City will implement equipment and vehicle maintenance activity BMPs.

**3. Golf Course**

- The City will implement equipment and vehicle washing BMPs.
- The City will implement equipment and vehicle maintenance activity BMPs.
- The City will implement fertilizer and pesticide application BMPs.

**4. Pools, Ponds, Spas, Fountains and Other Public Water Bodies**

- The City will implement BMPs to control algae, chlorine, and other pollutant discharges (including heavy metals such as copper) from its swimming pools, fountains and sailing lake.

**5. General**

- The City will implement BMPs for controlling debris and solid wastes.
- The City will implement parking lot BMPs.
- The City will implement BMPs to control discharges from washing of plazas, buildings, landscaping, etc.
- The City will inventory all city-owned public facilities on a 5-year cycle to determine compliance with the City's sewer use ordinance (Chapter 35, MVCC) in controlling illegal discharges to the storm drain system. A summary of potential problem areas shall be

developed and an implementation plan for correcting those problems shall be completed.

- The City shall review its records annually to critique the effectiveness of public facilities operation and maintenance activities.



**Performance Standard and Supporting Documents for  
Public Facilities Operation and Maintenance**

**WORK PLAN IMPLEMENTATION**

The City of Mountain View currently implements the Public Facilities Operation and Maintenance performance standard. The City will summarize its compliance efforts during the year in its Annual Report. The format of the Annual Report reporting form is in the "City of Mountain View Annual Report Form" section of this document. Additional supporting documentation will be maintained at City offices and made available for public review.

For a summary of the procedures the City uses to implement these performance standard, see the "Standard Operating Procedures" section of this document.

**Performance Standard and Supporting Documents for  
Public Facilities Operation and Maintenance**

**LEGAL AUTHORITY TO IMPLEMENT**

The City of Mountain View has adequate legal authority to implement the Public Facilities Operations and Maintenance performance standard. The list below summarizes the various legal instruments used by the City to do so. Also, refer to the “best management practices and other control measures” section used by the City to implement the standard.

Summary of Legal Authority:

<b>LEGAL AUTHORITY</b>	<b>DESCRIPTION</b>
NPDES Permit No. CAS029718 (Order 95-180)	Stormwater permit for Santa Clara County and 13 co-permittees.
Memorandum of Agreement	Memorandum between the Santa Clara Valley Urban Runoff Pollution Prevention Program co-permittees, pursuant to the RWQCB NPDES Permit No. CAS029718.
City of Mountain View General Plan	<p>Policy 16 requires establishment of pollution control measures to keep pollutants from entering Mountain View’s storm drain system to protect the city’s surface water resources.</p> <p>Policy 17 requires soil stabilization measures that prevent soil erosion and sedimentation.</p> <p>Policy 18 requires proper use, storage and disposal of toxic chemicals to prevent soil contamination.</p>
Chapter 24, MVCC, Section 24.3.0(c)	Requires containers to be compatible with the materials they store to prevent leaks and spills.
Chapter 24, MVCC, Section 24.3.0(e)	Requires dispensing and mixing of hazardous materials to be done in a manner which does not increase risk of unauthorized discharge.

Chapter 24, MVCC, Section 24.3.0(f)	Requires an approved drainage system to prevent accumulation of liquid within secondary containment. The drainage system must conform to sanitary and storm drain discharge requirements.
Chapter 24, MVCC, Section 24.3.0(k)	Requires process tanks and equipment which involve temperature control of hazardous liquids to be provided with a high-temperature and low liquid-level shutoff to maintain product temperature and product level with a safe range.
Chapter 24, MVCC, Section 24.3.0(m)	Requires leak detection monitoring for all hazardous materials storage facilities.
Chapter 24, MVCC, Section 24.3.0(n)	Requires overfill protection and overspill protection when filling tanks or containers.
Chapter 24, MVCC, Section 24.3.0(o)	Requires tanks and associated piping subject to vehicular traffic and containing hazardous materials to be protected by guard posts.
Chapter 24, MVCC, Section 24.3.0(p)	Requires safety storage cabinets for storage of hazardous materials.
Chapter 24, MVCC, Section 24.3.0(q)	Requires secondary containment for all new storage facilities.
Chapter 24, MVCC, Section 24.3.0(r)	Requires separation of incompatible hazardous materials.
Chapter 24, MVCC, Section 24.3.0(s)	Requires shelves used for hazardous materials storage to be provided with a lip or guard to prevent individual containers from falling off. Requires shelving units to be seismically braced.
Chapter 24, MVCC, Section 24.3.0(u)	Requires hazardous materials which require temperatures other than ambient to be stored in approved areas or containers which will maintain the needed temperature. Redundant temperature control is also required.
Chapter 24, MVCC, Section 24.3.0(v)	Requires transport of hazardous materials exceeding 5 gallons in an exit corridor to be conducted in an approved cart or truck.

Chapter 24, MVCC, Section 24.3.3	Requires hazardous materials storage facilities to be secured from public access.
Chapter 24, MVCC, Section 24.3.4	Requires adequate spill prevention and clean-up materials be maintained on site for leaks and spills.
Chapter 24, MVCC, Section 24.6.0	Allows City to conduct inspections for ascertaining compliance with Chapter 24.
Chapter 24, MVCC, Section 24.6.0(a)	Allows City to enter any structure or premises when an enforcement officer has reason to believe a violation has occurred.
Chapter 24, MVCC, Section 24.7.2	Requires a facility using/storing hazardous materials to provide a closure plan describing their procedures for terminating hazardous materials storage. This includes providing proof of proper removal via hazardous waste manifests, bills of lading, etc. The City may require soil/groundwater samples for suspect areas. All tanks and sumps must also be removed via permit.
Chapter 35, MVCC, Section 35.31.3	Prohibits discharge of sanitary sewage, industrial wastes or polluted waters to curbside gutter, storm sewer, storm drain or other natural outlet. Defines unlawful discharges to storm drain. Outlaws discharges of any pollutants or waters containing pollutants that violate the City's stormwater discharge permit or applicable water quality standards.
Chapter 35 MVCC, Section 35.31.1	Authorizes the City to enter a facility for violations constituting an immediate or substantial danger to public health, safety and welfare.
Chapter 35 MVCC, Section 35.32.10.1	Authorizes City to require "adequate protection" to prevent discharge of polluted water, hazardous materials, industrial wastes, or other wastes. Such protection includes "facilities" or "engineering controls".
Chapter 35 MVCC, Section 35.32.10.1(B)	Requires immediate clean-up of spills or leaks.

Chapter 35 MVCC, Section 35.32.10.1(C)	Requires dischargers to maintain adequate supplies of spill prevention and clean-up equipment on site.
Chapter 35 MVCC, Section 35.32.10.1(D)	Prohibits interior floor drains to be connected to the storm sewer system.
Chapter 35 MVCC, Section 35.32.10.1(E)	Prohibits open containers containing hazardous materials or wastes from being left unattended unless in use or secondarily contained.
Chapter 35 MVCC, Section 35.32.10.1(G)	Requires floor cleaning to be conducted using "3-step method" and disposing in sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(I)	Requires all grease-generating facilities to have grease interceptors or traps. Requires new food service facilities to be equipped with a designated area for cleaning floor mats, containers and equipment. Requires new food service facilities to be equipped with covered and bermed area for their dumpsters.
Chapter 35 MVCC, Section 35.32.10.1(J)	Requires dischargers to label their storm drains in accordance with City's specifications.
Chapter 35 MVCC, Section 35.32.10.1(K)	Requires roof-mounted equipment or tanks containing liquids other than potable water to be secondarily contained or discharge to the sanitary sewer.
Chapter 35 MVCC, Section 35.32.10.1(L)	Prohibits sacrificial zinc anodes which contact the water supply in water distribution systems. Prohibits devices using electricity to dissolve copper or silver into water distribution systems, cooling systems pools, spas or fountains.

Chapter 35 MVCC, Section 35.32.10.1(O)	Requires new vehicle or equipment fueling facilities to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the fueling area and extending the cover 10' beyond the fuel pumps, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in fueling area.
Chapter 35 MVCC, Section 35.32.10.1(P)	Requires new outdoor vehicle or equipment maintenance facilities to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the area, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in maintenance area.
Chapter 35 MVCC, Section 35.32.10.1(Q)	Requires new loading docks used for shipping or receiving hazardous materials to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the loading dock, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in loading dock area.
Chapter 35 MVCC, Section 35.32.10.1(R)	Requires new outdoor areas used for stockpile storage to be designed to prevent run-on of storm water and run-off of spills by: 1) paving the area with concrete or other nonpermeable surface, 2) covering the area, and 3) grading the area (sloped inward) or installing a berm/curb around the perimeter of the fueling area. Prohibits storm drains in outdoor storage areas.
Chapter 35 MVCC, Section 35.32.10.1(S)	Requires new high-erosion areas to be designed to prevent run-on of storm water and run-off of spills by: 1) covering the area and grading it or installing a berm/curb around the perimeter of the area or 2) Retrofitting the area with a treatment system to intercept sediment runoff.

Chapter 35 MVCC, Section 35.32.10.1(V)	Requires new parking garage floor drains on interior levels to be connected to an approved wastewater treatment system and discharge to the sanitary sewer.
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## **Performance Standard and Supporting Documents for Public Facilities Operation and Maintenance**

### **BEST MANAGEMENT PRACTICES AND CONTROL MEASURES**

This section contains the list of Best Management Practices (BMPs) to be used by the City of Mountain View for compliance in the implementation of the performance standard. The BMPs are grouped by activity.

#### **Pools, Ponds, Spas, Fountains and Other Public Water Bodies**

- Do not discharge pool, spa or fountain water to the street or storm drain system. Locate a nearby sewer line cleanout and discharge water into this cleanout;
- Clean regularly, maintain proper chlorine levels, and provide adequate water filtration and circulation to prevent algae problems;
- Never clean cartridge filters into the street or near a storm drain. Rinse cartridge filters onto a dirt area or sink/toilet (sanitary sewer) and spade filter residue into soil;
- Backwash sand and diatomaceous earth filters onto dirt or sink/toilet (sanitary sewer). Dispose of diatomaceous earth in the garbage;
- Use non-copper containing algae treatments;
- Manage pH and water hardness to minimize corrosion of copper piping.

#### **Plazas, Buildings, Landscaping**

- See BASMAA's "Pollution from Surface Cleaning" BMPs included in the Appendix of the City's "Public Streets, Roads and Highways O&M" performance standard.

#### **Equipment and Vehicle Maintenance**

- Immediately clean up any spills or leaks;
- Maintain adequate spill prevention and cleanup equipment on hand at all times. A sufficient supply and quantity shall be maintained to contain and remove the largest likely discharge;
- Interior floor drains designed for industrial wastewater discharge shall be connected to the sanitary sewer, not the storm drain system;
- Secondarily contain all hazardous materials to prevent and contain any leaks or spills;



- Never discharge hazardous materials to a sink, toilet, street or storm drain;
- Whenever possible, recycle hazardous materials such as oil, batteries, antifreeze and cleaning solvents;
- Whenever possible, drain vehicles indoors only and only on non-porous floors. If vehicles must be drained outdoors, contain the drained material and berm or dike the nearest storm drain;
- Always use a drip pan when draining fluids;
- Transfer fluids drained from vehicles to a designated waste storage areas as soon as possible;
- Prevent spills from reaching storm drains by:
  - √ working over an absorbent mat or collection/containment pan;
  - √ covering nearby storm drains;
  - √ working in a bermed or contained area;
- Conduct body repair work and painting indoors under cover;
- Minimize use of hose-off degreaser to clean body parts before painting. Instead, brush off loose debris and use rags to wipe down parts;
- Clean spray guns in a self-contained cleaning unit:
  - √ Recycle the cleaning solution when it becomes too dirty to use;
  - √ Never discharge cleaning waste to the sewer or storm drain;
- Employ the following three-step floor cleaning process in areas where hazardous materials or industrial wastewater is generated:
  - 1) Clean up gross spills with rags or other absorbent;
  - 2) Sweep up any remaining absorbent materials;
  - 3) Mop those area requiring additional cleaning and discharge mop water to the sanitary sewer;
- Separate waste solvents, paints, oil filters, antifreeze, motor oil, batteries and lubricants to increase waste recycling options and reduce cost;
- Keep lids on waste barrels and containers, and store them indoors under cover;
- Properly maintain and service all treatment systems (required at least annually);
- Inspect equipment frequently for malfunctioning parts, leaks, and accumulation of pollutants such as oil and grease;

### **Equipment and Vehicle Washing**

- Discharge wash and rinse water from vehicle cleaning to a treatment system (oil-water

separator) prior to discharge to the sanitary sewer;

- Recycle wash water to minimize discharge to the sanitary sewer;
- Properly maintain and service all treatment systems (required at least annually);
- Use soap and elbow grease to clean wheels. Never use spray-on (acid-based) wheel cleaners where rinsewater may flow to a street, gutter, or storm drain;

### **Debris and Solid Waste**

- Debris and solid waste should never be disposed of down the sewer or storm drain;
- Whenever possible, recycle or compost waste vegetation (tree removal, tree trimming, etc.);
- For wet debris, drain and dry on the concrete spoils pad at the Municipal Operations Center. Dispose of dry debris in dumpster;
- Maintain a City-wide leaf collection program;
- Maintain a City-wide non-hazardous material recycling program (cans, bottles, plastic, etc.);
- Maintain a City-wide household hazardous waste collection program;
- Maintain a City-wide hazardous waste dropoff program for small business;
- Maintain a City-wide composting program ;
- Maintain a City-wide hazardous materials response program;

### **Storage and Application of Fertilizers and Pesticides**

- Fertilizers and pesticides shall be stored inside under cover;
- Pesticides shall be stored in a secondarily-contained hazardous material shed or other comparable containment;
- Pesticides shall be applied as per labeled instructions. Application shall meet all requirements of the County Agriculture Commission;
- Pesticides shall not be applied if rain is expected;
- Pesticide residues shall be rinsed in their original container and the rinsate applied to the original area of application. Pesticide residues shall not be discharged to the sewer or storm drain system.

## Performance Standard and Supporting Documents for Public Facilities Operation and Maintenance

### STANDARD OPERATING PROCEDURES

This section presents the standard operating procedures (SOPs) that the City of Mountain View uses for implementation of the performance standard, and identifies the division(s) within the City that are responsible for their implementation.

#### **Performance Standard #1.1: Municipal Corporation Yards**

The City will prepare a Storm Water Pollution Prevention Plan (SWPPP) for its Municipal Corporation Yard.

Responsible Division:

City of Mountain View Public Services Department, Utilities Division

Standard Operating Procedures:

The City has completed its SWPPP for its Municipal Operations Center located at 231 North Whisman Road.

#### **Performance Standard #1.2: Municipal Corporation Yards**

The City will implement the SWPPP.

Responsible Division:

City of Mountain View Public Services Department, Utilities Division

Standard Operating Procedures:

The City currently implements all the provisions of its SWPPP, including generation of an annual report and annual monitoring program. This information is public record and available for public review at the office of the Environmental Engineer at the Municipal Operations Center.

#### **Performance Standard #2.1: Parks and Recreation**

The City will implement BMPs for the storage and application of fertilizers and pesticides.

Responsible Division:

City of Mountain View Community Services Department, Parks Division

Standard Operating Procedures:

The City parks employees currently implement all BMPs for storage and application of fertilizers and pesticides. Storage is also overseen by the City's Fire Department which inspects this storage annually. Chemical fertilizers and pesticides are properly stored within secondarily contained storage sheds. Bulk quantities of fertilizers are covered with tarps to

prevent runoff. Proper storage and application procedures are reviewed during annual training of Parks personnel (see the City's "Public Education and Outreach Master Plan" for more information).

**Performance Standard #2.2: Parks and Recreation**

The City will implement equipment and vehicle washing BMPs.

**Responsible Division:**

City of Mountain View Public Services Department, Utilities Division

**Standard Operating Procedures:**

Most vehicle washing and all equipment washing is conducted at a dedicated wash facility at the Municipal Operations Center at 231 North Whisman Road. This wash facility drains to a treatment system and discharges to the sanitary sewer system. Some vehicle washing is also conducted at one of the city's public car wash facilities which recycle their wash water and are permitted for discharge to the sanitary sewer.

**Performance Standard #2.3: Parks and Recreation**

The City will implement equipment and vehicle maintenance BMPs.

**Responsible Division:**

City of Mountain View Public Services Department, Fleet Services Division

**Standard Operating Procedures:**

Equipment and vehicle maintenance is primarily conducted at the Fleet Service Center at the City's Municipal Operations Center at 231 North Whisman Road. This is newly constructed state-of-the-art center which includes:

- √ covered areas for all maintenance activities, including body work and steam cleaning;
- √ a dedicated secondary containment room for all bulk hazardous materials storage;
- √ safety storage cabinets for all small-container hazardous materials;
- √ spill control and cleanup equipment;
- √ sensors and alarms to shut down overhead oil dispensing lines; and
- √ a separate steam cleaning pad which drains to a treatment system and discharges to the sanitary sewer under permit.

The equipment and vehicle maintenance facility is inspected annually by the Fire Department for compliance with the hazardous materials storage/use, wastewater discharge, and stormwater BMP compliance regulations.

**Performance Standard #3.1: Golf Course**

The City will implement equipment and vehicle washing BMPs.

**Responsible Division:**

City of Mountain View Community Services Department, Golf Links Division

**Standard Operating Procedures:**

The City's Golf Links Division is primarily responsible for golf equipment and vehicle

washing. Most golf equipment and vehicle washing occurs at the golf course wash station located at the golf course maintenance yard. The wash station discharges to the sanitary sewer under permit.

**Performance Standard #3.2: Golf Course**

The City will implement equipment and vehicle maintenance activity BMPs.

Responsible Division:

City of Mountain View Community Services Department, Golf Links Division

Standard Operating Procedures:

The City's Golf Links Division is primarily responsible for golf equipment and vehicle maintenance. Most golf equipment and vehicle maintenance occurs at the golf course maintenance facility at Shoreline Park. This facility is inspected annually by the Fire Department for compliance with the hazardous materials storage/use, wastewater discharge, and stormwater BMP compliance regulations.

**Performance Standard #3.3: Golf Course**

The City will implement fertilizer and pesticide application BMPs.

Responsible Division:

City of Mountain View Community Services Department, Golf Links Division

Standard Operating Procedures:

The City's Golf Links Division is responsible for implementing fertilizer and pesticide application BMPs described above. Golf Links personnel attend annual training to review relevant BMPs and discuss problem areas. See the City's "Public Education and Outreach Master Plan" for addition information.

**Performance Standard #4.1: Ponds, Fountains and Other Public Water Bodies**

The City will implement BMPs to control algae, chlorine, and other pollutant discharges (including heavy metals such as copper) from its swimming pools, fountains and sailing lake.

Responsible Division:

City of Mountain View Public Services Department, Facilities Division  
City of Mountain View Community Services Department, Shoreline Division

Standard Operating Procedures:

The Facilities Division is primarily responsible for maintenance, repair and BMP implementation for the City's fountains and two public swimming pools. The Shoreline Division is primarily responsible for maintenance and BMP implementation for the City's sailing lake at Shoreline Park. Both Divisions receive annual training in the BMPs listed above (see the City's "Public Education and Outreach Master Plan" for more information). Storage of hazardous materials at these locations is secondarily contained and inspected annually by the Fire Department.

**Performance Standard #5.1: General**

The City will implement BMPs for controlling debris and solid waste.

Responsible Division:

City of Mountain View Community Services Department, Parks Division  
City of Mountain View Public Services Department, Streets Division  
City of Mountain View Public Works Department, Solid Waste Division  
City of Mountain View Fire Department, Environmental Safety Division

Standard Operating Procedures:

The City currently implements the BMPs for controlling debris and solid waste. A number of departments and divisions are involved in these programs:

√ Tree trimming and landscaping is conducted by the Parks division. This program includes tree removal, tree trimming, and leaf removal. Most of the waste vegetation is grinded and mulched for reuse.

√ A leaf collection program is conducted by the Streets division. This program is implemented to remove excess leaf debris between October and February each year. The leaves are collected from problem areas on an as-needed basis;

√ Litter pickup and control is conducted by the City's Parks and Streets divisions. The Parks division empties waste receptacles in City parks, at public facilities and along the downtown area including Castro Street. Waste receptacles are emptied daily. The Parks division also performs litter pick-up along median islands, parking strips, and landscaped City right-of-ways. The Streets division performs litter control for special cases of roadway spills and debris. This includes vehicle accident debris and discarded garbage in general. Dead animals are also removed from the City under contractual agreement with the City of Palo Alto;

√ The City's recycling program is conducted by the Solid Waste division. The program consists of a residential element for aluminum and tin cans, glass bottles, PETE plastic and newspapers. The City also conducts an annual phone book recycling drive, and collects scrap metal from City operations. In 1997, the City will initiate a recycling program for small and medium-sized businesses which will include paper, plastic and tin cans.

√ The City's composting program is conducted by the Solid Waste division. Program activities include mulching of holiday trees after the Christmas and New Year's holidays, and home composting workshops which take place quarterly.

√ The City's household hazardous waste collection program is coordinated by the Solid Waste division. The City has a contractual agreement with the Santa Clara County Environmental Health Department that allows Mountain View residents to participate in monthly hazardous waste collection events at various locations throughout the county. In addition, the City financially supports the "BOP" ("Batteries, Oil and Paint") recycling station in Sunnyvale which allows Mountain View residents to use this facility. Finally, the City runs a curbside oil pickup program through its waste hauler Foothill Disposal. Residents are allowed to place their waste oil on the curb for pick up along with their regular garbage pickup on a bi-weekly basis.

√ The City participates in a hazardous waste dropoff program for small business through the City of Palo Alto. This program allows very small waste generators (less than 100 kg/month) to bring their waste to a dropoff facility in Palo Alto and save the transportation charges.

√ The City maintains a hazardous materials response team in the Fire Department. The Fire Department routinely contains and cleans up small spills of gasoline, diesel, or other hydrocarbons not exceeding 20 gallons. These spills usually result from vehicle accidents or poor vehicle maintenance. Spills are absorbed with a kitty-litter type absorbent, bagged, and placed in a hazardous materials waste drum which is then shipped to a class-I landfill. Procedures for spill response have been established in the Fire Department's General Orders. (See the City's "Illicit Connections/Illegal Discharges" performance standard for additional information on spill response).

√ The City conducts other debris removal operations covered under separate performance standards. These include:

- Debris removal from street sweeping--see the "Public Streets, Roads and Highways" performance standard;
- Debris removal from storm drain inlets and catch basins--see the "Storm Drain Operation and Maintenance" performance standard;
- Debris removal from storm drain lines and drainage channels--see the "Storm Drain Operation and Maintenance" performance standard;
- Debris removal from storm water retention basins--see the "Storm Drain Operation and Maintenance" performance standard;

#### **Performance Standard #5.2: General**

The City will implement parking lot BMPs.

#### **Responsible Division:**

City of Mountain View Environmental Safety Division, Fire Department

#### **Standard Operating Procedures:**

In 1996, the Program completed its "Parking Lot" study. The products of the study were 1) a report characterizing select water quality parameters of runoff samples, and 2) a manual of new and retrofit BMPs for control of pollutants in runoff from parking lots.

This study concluded that pollutants from parking lot runoff is mainly in the dissolved phase. As such, the BMPs tested did not reduce pollutant loadings and were, therefore, not recommended for existing sites, and only marginally recommended for new sites. The one structural BMP which was reasonable considered economical and practical for existing parking lots (catch basin inserts) could not be recommended for use because of hydraulic failure and the inability to reduce pollutants of concern. As for other controls, unless there was excessive sediment, catch basins and interceptors were also shown not to address pollutants of concern.

Based on the findings of this study, the City of Mountain View feels that it has little hard evidence to warrant requiring existing or new parking lots to install these controls. Parking lot sweeping and maintenance is, however, required as part of conditions of SPAR for new construction (see the "New Development Planning Procedures" performance standard for

additional information).

**Performance Standard #5.3: General**

The City will implement BMPs to control discharges from washing of plazas, buildings, landscaping, etc.

Responsible Division:

City of Mountain View Community Services Department, Parks Division

Standard Operating Procedures:

The City has adopted these BMPs both for its employees, as well as contractors hired by the City. Review of these BMPs is included in the annual training of all Parks personnel.

The City uses the list of contractors who attended and passed the recent BASMAA training seminar as an "approval" list for selecting contractors to use for building, plaza and sidewalk washing. The BMPs that served as the basis for the BASMAA training seminar can be found in the Appendix of the City's "Public Streets, Roads and Highways O&M" performance standard.

**Performance Standard #5.4: General**

The City will inventory all city-owned public facilities on a 5-year cycle to determine compliance with the City's sewer use ordinance (Chapter 35, MVCC) in controlling illegal discharges to the storm drain system. A summary of potential problem areas shall be developed and an implementation plan for correcting those problems shall be completed.

Responsible Division:

City of Mountain View Environmental Safety Division, Fire Department

Standard Operating Procedures:

The City completed its first inventory of all city-owned facilities in 1995 and will do so every five years. A list of compliant and non-compliant facilities will be compiled from that inventory. Those facilities found to be in non-compliance will be prioritized for upgrade/modification and project completion dates assigned to each. In some cases, substantial modifications may be needed that require a CIP be developed.

**Performance Standard #5.5: General**

The City shall review its records annually to critique the effectiveness of public facilities operation and maintenance activities.

Responsible Division:

City of Mountain View Community Services Department, Parks Division

Standard Operating Procedures:

The Annual Report will be completed by the Environmental Safety Division. Review and evaluation of BMP effectiveness will include input from the Parks, Facilities and Golf Links Divisions.



11. Has the City implemented the parking lot BMPs?  
 Yes  No If no, explain:
12. Has the City implemented BMPs to control discharges from washing of plazas, buildings or landscaping?  
 Yes  No If no, explain:
13. Has the City completed an inventory of all its public facilities to assess its compliance with the local sewer use ordinance (Chapter 35, MVCC)?  
 Yes  No If yes, attach a copy of the inventory and timeframes for any identified upgrades or modifications.  
If no, explain:
14. Has the City reviewed and evaluated the effectiveness of its BMPs in achieving the goals of reducing pollutants in storm water to the maximum extent practicable?  
 Yes  No If yes, include the effectiveness evaluation in the Annual Report.  
If no, explain:

**PEST MANAGEMENT PERFORMANCE STANDARD  
and Guidance Documents<sup>1</sup>**

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<sup>1</sup>Approved by SCVURPPP Management Committee 2/21/02.

## INTRODUCTION

### **Purpose of Performance Standard**

The goals of the Pest Management Performance Standard and the control measures herein are to: 1) minimize pesticide use, particularly organophosphate pesticides; and 2) reduce the amount of pesticides in storm water and landscape runoff. These control measures apply to pest management on City-owned property performed by municipal employees and by commercial applicators that contract with the City Of Mountain View (City). The control measures also include outreach to other users within the municipality's jurisdiction about less toxic pest control methods and proper disposal of pesticides.

The Pest Management Performance Standard defines the level of implementation that the City will achieve to demonstrate that its pest management program controls the discharge of pesticides in runoff to the maximum extent practicable. This performance standard will be used as the basis for measuring the effectiveness of the City's pest management activities.

The Pest Management Performance Standard is based, primarily, on the requirements of Provision C.9.d. of the Program's municipal storm water NPDES permit reissued on February 21, 2001 (see Appendix A). The performance standard is also consistent with the goals and objectives of the Program's *Urban Runoff Management Plan (URMP, 1997, revised October 2000)*.

### **Permit Requirements Addressed by this Performance Standard**

Permit Provision C.9.d. contains requirements pertaining to the use of pesticides within the jurisdictions of the Co-permittees, including the City of Mountain View. Some of these requirements will be addressed by activities at the Program level, as described in the Program's Pesticide Management Plan (July 1, 2001), and other requirements will be addressed by individual municipalities' activities at the local level, as described in the co-permittees' work plans.

This performance standard was the basis for the City's preparation of its individual pest management plans. The City's Integrated Pest Management (IPM) Plan includes activities to implement this performance standard. The IPM Plan addresses municipal use of pesticides, and education and outreach on the use of pesticides by other sources within the municipality's jurisdiction. The plan describes the Integrated Pest Management (IPM) practices that the City implements to minimize pesticide use and water quality impacts from pesticides, and includes additional elements per the permit provisions. The City also participates and/or supports Program staff participation in regional efforts to reduce pesticide use, such as those conducted by the Urban Pesticide Committee (UPC), the Bay Area Stormwater Management Agencies Association (BASMAA), and the Stormwater Quality Task Force (SWQTF).

The permit also requires mechanisms to discourage pesticide use at new development sites by encouraging pest-resistant landscaping, minimization of impervious surface and other design strategies, and education of individuals who perform design and environmental reviews. This requirement will be incorporated into the Planning Procedures Performance Standard, which will be revised subsequent to adoption of revised language for permit Provision C.3. (expected July 2001).

### **Approach for Addressing Other Pesticide Users**

Other pesticide users within the Program's geographic area, but not within the jurisdiction of municipal agencies to regulate include: residential users, commercial applicators hired by private or non-municipal entities, landscape gardeners, special districts ( such as vector control and open space districts) and school district staff. Because municipalities have limited authority with respect to these users, the municipal agencies' role for control of pesticide use by these groups will be to provide education and outreach about municipal IPM policies, less-toxic pest control methods, and proper pesticide disposal. The commercial applicator contracted the City for application of pesticides on municipal property is required to follow the municipalities' IPM policies through contractual agreements.

Municipalities do not have the authority to regulate the use of pesticides by school districts, however the California Healthy Schools Act of 2000 (AB 2260) has imposed requirements on California school districts regarding pesticide use in schools. Posting of notification prior to the application of pesticides is now required, and IPM is stated as the preferred approach to pest management in schools.

### **Coordination with Pesticide Regulating Agencies**

There are three State and County agencies that regulate the application of pesticides: the State Department of Pesticide Regulation, the Structural Pest Control Board, and the County Agricultural Commission. The roles of these agencies in the licensing and training of pesticide applicators and the monitoring of their activities (i.e., reporting requirements) are described in Appendix B. The City's IPM Plan will include recognition of and coordination with the responsibilities and activities of these agencies

## Definitions

Pesticides: Section 12753 of the California Food and Agricultural Code defines a pesticide as any spray adjuvant, or any substance, or mixture of substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, as defined in Section 12754.5 (of the Food and Agricultural Code), which may infest or be detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environmental whatsoever.

Pesticides That Cause Impairment of Surface Waters: These are defined as either:

- 1) pesticides identified on the Clean Water Act's 303(d) list of impaired water bodies in Santa Clara Valley (including the lower South San Francisco Bay); or
- 2) any additional pesticides identified by the Co-permittees or the Regional Board as causes of water quality impairment in Santa Clara Valley (including the lower South San Francisco Bay) based on scientific evidence obtained from local monitoring and toxicity studies.

Integrated Pest Management (IPM): IPM is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.<sup>2</sup>

### Production Agriculture

Production agriculture sites, as defined by the DPR, are sites where crops or livestock are grown.

### Non-Production Agriculture

Non-production agriculture sites, as defined by the DPR, are sites on which pesticide use is regulated by the DPR and include areas such as, but not limited to, cemeteries, parks, golf courses, and rights-of-way.

### LD<sub>50</sub>

The concentration of a toxic chemical which is a lethal dose to 50 percent of a population of organisms exposed to it.

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<sup>2</sup> Definition from the University of California Statewide Integrated Pest Management Project.

## PERFORMANCE STANDARD

### *Overall Plan*

1. The City of Mountain View has developed and is implementing an Integrated Pest Management (IPM) Plan to minimize pesticide use and reduce the amount of pesticides in storm water and landscape runoff to the maximum extent practicable.

### *Legal Authority*

2. The City of Mountain View adopted an Integrated Pest Management (IPM) policy requiring:
  - a. Implementation of IPM techniques in the agency's operations;
  - b. Employee training, and public outreach and education;
  - c. Pesticide use tracking;
  - d. Compliance with Federal or State laws;
  - e. Implementation of the IPM Plan;
  - f. Limited use of Category I and Category II pesticides, and procedures for the use of these pesticide categories;
  - g. Minimization of pesticides that cause impairment of surface waters, including organophosphate pesticides; and
  - h. Implementation of BMPs for water quality protection; and
  - i. Reduction, phase-out, and ultimate elimination of the use of pesticides that cause impairment of surface waters.

### *Procedures for Municipal Staff*

3. The City of Mountain View's IPM Plan includes standard operating procedures (SOPs) and best management practices (BMPs) for implementing the IPM Policy. The City's IPM Plan also states that use of organophosphate and copper-based pesticides will be minimized.
4. The City of Mountain View provides outreach to its employees regarding its IPM policy and goals;
5. The City of Mountain View ensures that employees receive appropriate pest management training by implementing the following:
  - a. Employees who apply pesticides for the agency will obtain the appropriate training as required by the County Agricultural Commissioner and the State Department of Pesticide Regulation (DPR);
  - b. Employees within departments responsible for pesticide application will receive annual training on the appropriate portions of the agency's IPM Policy, SOPs, and BMPs, and the latest IPM techniques;
  - c. Employees who are not authorized and trained to apply pesticides will be periodically (at least annually) informed that they cannot use over-the-counter pesticides in or around the workplace, consistent with the IPM Policy.

*Procedures for Contractors*

6. The City of Mountain View requires contractors employed to conduct pest control and pesticide application on municipal property to engage in pest control methods consistent with the IPM Policy. Contractors are required to:
  - a. Follow the agency's IPM policy, SOPs, and BMPs;
  - b. Provide evidence to the agency of having received training on current IPM techniques when feasible;
  - c. Provide documentation of pesticide use on agency property to the agency in a timely manner.

*Outreach to Other Users*

7. The City of Mountain View's annual work plan identifies outreach activities that are conducted consistent with the Program's Pesticide Management Plan. Work plan elements will address outreach to the following target audiences:
  - a. residential pesticide users;
  - b. professional pest control businesses;
  - c. customers of professional pest control businesses;
  - d. pesticide retailers;
  - e. school districts; and
  - f. other special districts.

Information will be provided on less-toxic pest control practices, proper disposal of pesticides, and the agency's own IPM practices, as applicable.

8. The City of Mountain View coordinates with the Santa Clare County Household Hazardous Waste collection program to support, enhance, and help publicize programs for proper pesticide disposal.

*Evaluation and Reporting*

9. The City of Mountain View implements a process for tracking and reporting pesticide use on City-owned property to the maximum extent practicable. The highest priority for tracking and reporting will be organophosphate pesticides and other pesticides impairing water quality. The City also tracks pesticide use by its structural pest control contractor. The results will be reported in the annual report.
10. The City conducts periodic agency-wide search of its chemical inventory for pesticides no longer legal for application per EPA, State, and/or local requirements. These pesticides, if found, will be properly disposed pursuant to appropriate waste disposal regulations.
11. As part of the annual reporting process, the City of Mountain View reviews and evaluates, with input from municipal staff, the effectiveness of its Pest Management Plan and IPM Policy in achieving the goals of the Plan to the maximum extent practicable.

**Attachment 1**  
**WORK PLAN IMPLEMENTATION**

The activities conducted by the City of Mountain View to achieve the performance standard are outlined in the City's Work Plan for New and Redevelopment Requirements. The work plan includes an implementation schedule. The City's compliance efforts outlined in the work plan are summarized in each year's Annual Report. See the City's Work Plan for New and Redevelopment Requirements and Annual Report documents for detailed information on the City's efforts.

Reporting Process

The City maintains a pesticide use database to track pesticide use at City facilities. The pesticide use data that is collected includes; application date, location, products used, active ingredient, quantity or product applied, percent active ingredient, quantity of active ingredient applied, and target pest. Summaries of the pesticide and active ingredient use can be generated using the database.



## Attachment 2 LEGAL AUTHORITY

On September 10, 2002, the City of Mountain View adopted an Integrated Pest Management (IPM) policy. The text of the City's IPM Policy is shown below:

### PURPOSE:

To develop and implement an Integrated Pest Management (IPM) program designed to minimize pesticide use at City-maintained facilities; to train appropriate employees regarding the City's IPM program; to enhance the existing method for tracking and reporting pesticide use at City facilities; and to inform the community about IPM strategies and techniques.

### POLICY:

City of Mountain View employees and City contractors will perform pest management operations at City maintained facilities in a manner that reduces or eliminates chemical pesticide use to the maximum extent feasible and practical. Chemical pesticides will only be used in the following situations: 1) the use of chemical pesticides is needed to prevent unacceptable health risks or economic loss; 2) the use of chemical pesticides is needed to prevent the development of unsafe conditions; or 3) where non-chemical IPM techniques have proven to be ineffective at controlling the target pest. In these cases, the City will employ a reduced-risk chemical pesticide strategy, which means lower toxicity pesticides will be used first, followed by more potent pesticides, if needed. This policy applies to pesticide use on property that is maintained by the City of Mountain View and the City's contractors.

### INTEGRATED PEST MANAGEMENT:

Integrated Pest Management (IPM) is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.

(Source: University of California Statewide Integrated Pest Management Project)

Examples of the IPM techniques that will be used are:

- No controls (e.g. tolerating pest populations, use of pest resistant plants, or allowing plants to die naturally);
- Maintenance of healthy landscapes through proper fertilization, watering, pruning, and aeration;
- Physical controls, such as hand or mechanical removal, traps, and barriers;
- Biological controls, such as the use of predator species, parasites, or grazing;
- Cultural controls, such as mulching and mowing;
- Less toxic controls, such as soaps and oils;
- Monitoring pest populations, accurate identification, and utilizing knowledge of pest life cycles.

### OUTREACH AND EDUCATION:

Training and education are important components of the IPM Policy. City personnel who apply pesticides, or supervise and provide advice about pesticide application will be trained periodically on

recommended IPM strategies and techniques, as well as pollution prevention practices. City contractors will also be required to complete training regarding the concepts that are included in this policy. Furthermore, the City will provide information to the public about its efforts to reduce pesticide use, as well as residential and commercial IPM practices.

#### PESTICIDE USE TRACKING:

Appropriate City Departments will continue to track pesticide use for reporting purposes. City contractors will also be required to track pesticide use and report the data to the City regularly. Citywide pesticide use data will be reported annually to the Regional Water Quality Control Board, as required in the City's NPDES Storm Water Discharge Permit. The annual report, including the pesticide use data, will be a public record.

#### COMPLIANCE WITH FEDERAL OR STATE LAWS:

Nothing in this policy is intended to apply to pesticide applications that are required to comply with Federal or State laws or regulations. Nothing in this policy is intended to conflict with Federal or State laws or regulations governing the storage, use, or disposal of pesticides.

#### IMPLEMENTATION OF THE INTEGRATED PEST MANAGEMENT PLAN:

To achieve the goals of the IPM policy, and to comply with the State issued NPDES Storm Water Discharge Permit, the City will develop and implement an Integrated Pest Management Plan for use in all City-maintained areas. This plan will include Best Management Practices (BMPs), Standard Operating Procedures (SOPs), and an implementation strategy. The plan will provide a process for responding to pest problems at City-maintained facilities at the local level. Additionally, the plan will include mechanisms to discourage pesticide use at new development sites, as well as coordination with County-wide household hazardous waste collection efforts.

#### BAN ON USE OF TOXICITY CATEGORY I PESTICIDE PRODUCTS:

City of Mountain View employees and City contractors are prohibited from using chemical pesticides that are classified as Toxicity Category I by the United States Environmental Protection Agency. Exemptions to this ban may be granted in emergency cases where a pest outbreak poses an immediate threat to public health or significant economic loss will result if the banned pesticide is not applied. Exemptions will only be granted in situations where a Pest Control Advisor recommends the use of such a pesticide, and the Category I pesticide application is approved by the Department Head or designee.

#### LIMITED USE OF TOXICITY CATEGORY II PESTICIDE PRODUCTS:

City of Mountain View employees and City contractors will be limited in their use of chemical pesticides that are classified as Toxicity Category II by the United States Environmental Protection Agency. Category II pesticides will only be used in situations where a Pest Control Advisor recommends the use of these pesticides after Category III alternatives have been exhausted, or where needed to prevent a pest outbreak that poses an immediate threat to public health, or significant economic loss.

#### WATER QUALITY COMMITMENT:

With the adoption of this policy, the City commits, where possible, to 1) comply with the State issued NPDES Storm Water Discharge Permit by eliminating use of pesticides that cause impairment of surface

waters, including retention ponds and 2) reduce use of organophosphate pesticides. Pesticides that are currently listed as causing impairment in local urban streams include diazinon, chlorpyrifos, chlordane, dieldrin, and DDT. The City does not use these listed chemicals. Pesticides achieving this rating in the future will also be phased out. All chemical pesticide applications at City maintained facilities will be implemented using Best Management Practices for water quality protection.

### PESTICIDE PURCHASING POLICY

City of Mountain View employees are not permitted to obtain over-the-counter pesticide products for use on City property.

### DEFINITIONS

Whenever used in this Policy, the following terms shall have the meanings set forth below:

- (a) "Contractor" means a person, firm, corporation or other entity, including a governmental entity that enters into a contract with the City to provide landscape maintenance or related activities.
- (b) "Integrated Pest Management" means a decision-making process for managing pests that uses monitoring to determine pest injury levels and combines biological, cultural, physical, and chemical tools to minimize health, environmental and financial risks. The method uses knowledge of the target pests' life cycle, environmental requirements, and natural enemies to facilitate natural control of the pests. This method incorporates natural methods of pest control, then proceeds to least-toxic pesticides if the natural methods are not effective.
- (c) "NPDES permit" is a regulatory document issued by the State of California to control the discharge of pollutants into waterways. NPDES is an acronym for National Pollutant Discharge Elimination System.
- (d) "Pest Control Advisor" means someone who is licensed by the California Department of Pesticide Regulations in accordance with California Code of Regulations Title 3, Article 5. Only a licensed Pest Control Advisor, who is registered with the County Agricultural Commissioner, may provide written pest control recommendations for areas such as parks, golf courses, and public right-of-ways.
- (e) "Pesticide" means pesticide as defined in Section 12753 of the California Food and Agricultural Code, including but not limited to herbicides, insecticides, and fungicides.
- (f) "Toxicity Category I Pesticide" means any pesticide product that meets United States Environmental Protection Agency criteria for Toxicity Category I under Section 156.10 of Part 156 of Title 40 of the Code of Federal Regulations.
- (g) "Toxicity Category II Pesticide" means any pesticide product that meets United States Environmental Protection Agency criteria for Toxicity Category II under Section 156.10 of Part 156 of Title 40 of the Code of Federal Regulations.

"Toxicity Category III Pesticide" means any pesticide product that meets United States Environmental Protection Agency criteria for Toxicity Category III under Section 156.10 of Part 156 of Title 40 of the Code of Federal Regulations.

### **Pest Control Contractors**

All contractors retained by the City to provide pest control services will comply with the City's IPM Policy and Plan. When Pest Control contracts are solicited, compliance with the City's IPM Policy and Plan will be included in the contract.

### Attachment 3 BMPS AND CONTROL MEASURES

This section includes BMPs and control measures to protect water quality during the use of pesticides, when it is determined through an IPM process that pesticides must be used.<sup>1</sup> Also, see the SOPs in Attachment 4 for pertinent practices used by the City. Appendix 1 of the IPM Plan also includes pest-specific IPM information.

#### PESTICIDE USAGE

- 1) Follow all federal, state, and local laws and regulations governing the use, storage, and disposal of pesticides and training of pest control advisors and applicators.
- 2) Use the least toxic pesticides that will do the job, provided there is a choice. The agency will take into consideration the LD<sub>50</sub>, overall risk to the applicator, and impact to the environment.
- 3) Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging non-degraded pesticides in stormwater runoff. Avoid application of pesticides if rain is expected (this does not apply to the use of pre-emergent herbicide applications when required by the label for optimal results.)
- 4) Employ techniques to minimize off-target application (e.g. spray drift) of pesticides, including consideration of alternative application techniques. For example, when spraying is necessary, increase drop size, lower application pressure, use surfactants and adjuvants, using wick application, etc.
- 5) Apply pesticides only when wind speeds are low.
- 6) Mix and apply only as much material as is necessary for treatment. Calibrate application equipment prior to and during use to ensure desired application rate.
- 7) Do not mix or load pesticides in application equipment adjacent to a storm drain inlet, culvert or watercourse.
- 8) Irrigate slowly to prevent runoff and then only as much as is needed.

#### PESTICIDE STORAGE

- 1) To minimize quantities of pesticides stored, purchase what is needed for use in the near future.
- 2) Implement storage requirements for pesticide products with guidance from the local fire department and the Santa Clara County Agricultural Commissioner. Provide secondary containment for pesticides, if required.
- 3) Provide spill kits, store the kits near pesticides, and train employees to use them.
- 4) Store pesticides in a locked and posted individual storage unit. Pesticides should not be stored where they could be exposed to rain or irrigation water, causing pesticide runoff to storm drains or creeks.
- 5) Store pesticides only in labeled containers.

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<sup>1</sup> The following BMPs are taken from the Performance Standard for Public Streets, Roads, and Highways Operation and Maintenance, Section V.D.3. (Vegetation Control for Median and Road Embankment Maintenance), the San Mateo Countywide Stormwater Pollution Prevention Program (STOPPP) Performance Standards for Integrated Pest Management, and the San Mateo County Department of Agriculture Alternatives and Best Management Practices letter to San Mateo County Pest Control Companies.

#### PESTICIDE DISPOSAL

- 1) Dispose of empty pesticide containers according to the instructions on the container label.
- 2) Dispose of unused pesticides as hazardous wastes in accordance with applicable regulations.

#### References and Sources for Pesticide Regulations

- California Code of Regulations, Title 3 ([www.calregs.com/default.htm](http://www.calregs.com/default.htm))
- California Food and Agricultural Code Division 6 and Division 7
- Santa Clara County Agricultural Commissioner
- Department of Pesticide Regulation
- Structural Pest Control Board, California Department of Consumer Affairs

#### References for IPM Materials, Available from the University of California Statewide Integrated Pest Management Project

- Natural Enemies Handbook: The Illustrated Guide to Biological Pest Control
- Pests of Landscape Trees and Shrubs
- The UC Guide to Solving Garden and Landscape Problems: An Interactive CD ROM

#### Contact Information

[www.ipm.ucdavis.edu/IPMPROJECT/pubs.html/#books](http://www.ipm.ucdavis.edu/IPMPROJECT/pubs.html/#books) or 1-800-994-8849

## **Attachment 4 STANDARD OPERATING PROCEDURES**

This attachment includes pertinent sections of the City's IPM Plan showing the SOPs used by the City.

Excerpts from the IPM Plan:

### **Section 3 – IPM Procedures and Practices**

#### 3.1 IPM Plan Target Pests and IPM Guidance

The first step for developing an effective IPM plan is to identify the pests that may be encountered at City facilities. Initially, the IPM Plan will address only the most common or most potentially damaging pests encountered at City facilities. As the IPM Plan continues to develop, additional information will be included in the IPM Plan. Information about specific pests will be included in Appendix 1. The information listed in Appendix 1 has been collected from various sources, including the University of California Statewide IPM Program, and the City of Palo Alto. Appendix 1 is a resource that is designed to provide a quick reference for employees conducting pest control operations. Appendix 1 should not be considered to be the only source of information regarding IPM methods that employees can use to obtain suggested IPM solutions. The information provided in Appendix 1 does not override a Pest Control Advisor's recommendations.

Appendix 1 presents a variety of information for each pest, including identification, life cycle information, monitoring guidelines, action levels, and management options for each pest. The monitoring guidelines are used to identify pest locations and establish the potential for situations where pests may become intolerable. Recommended injury levels or action thresholds may also be included. These established levels may be used to determine when pest controls are needed. These thresholds may change as more information becomes available or experiences dictate such changes. Lastly, information about various pest treatments is provided, including pesticide use options.

#### 3.2 Implementing the IPM Plan

Employees will implement the IPM program by following seven basic steps:

1. Pest identification, including life cycle and population/damage assessment.
2. Monitoring.
3. Consider pest control methods listed in the IPM guidance (Appendix 1).
4. Implement pest control options using least toxic methods first.
5. Follow-up monitoring of pest control effectiveness and follow-up treatment, if necessary.
6. Evaluate pest prevention measures for long-term management of the pest.
7. Reporting.

A pest problem is identified when monitoring indicates that pest levels exceed acceptable population or damage thresholds. When acceptable levels are exceeded, IPM control measures will be considered and implemented, if appropriate. Follow-up monitoring will assess the pest control effectiveness and evaluate the need for further treatment controls. If chemical controls are needed, a reduced-risk chemical decision-making process will be employed. Pesticide application data will be maintained and reported.

Specific IPM practices that are implemented at City facilities are listed below.

### 3.2.1 IPM Practices at Parks and Roadway Medians

1. Cultural practices are used to maintain healthy turf in parks. Strong stands of turfgrasses are better able to resist establishment of weed pests. Cultural practices include fertilization, application of water using the rate of evapotranspiration (E.T.) to determine the grasses' water requirements, regular aeration to improve penetration of oxygen and water into the turfgrass root zone and dethatching to remove thatch buildup.
2. Irrigation practices include less frequent deep watering as opposed to frequent shallow irrigation. This encourages deeper rooting of grasses, which results in a healthier stand of turf.
3. Turf mowing heights are adjusted seasonally to allow the turf to thrive in hot and cool seasons.
4. All mowers mulch the clippings and leave them on the turf. This reduces green waste and introduces nutrients back into the turf, improving turf health.
5. Soil samples are taken at each athletic field once a year and analyzed to determine the nutrient needs of the turf for each field.
6. Tree basins and shrub beds are mulched, as is practical, to inhibit weed growth in bare dirt areas.
7. Athletic turf fields can be painted with non-toxic water-base turf paint instead of burning in permanent field marker lines with pesticides.
8. Care is given in plant selection for medians and parks so that the landscaping is more suitable to the immediate environment. This can improve the overall health of the plant and reduce pest problems.
9. Whenever practical, park asphalt pathways with header boards are replaced with concrete. Asphalt and header boards are more vulnerable to weed invasion when abutting turf areas. Elimination of this kind of pathway finish edge can help reduce pesticide use.
10. Roadway median turf and groundcovers are fertilized and irrigated to maintain maximum health to reduce weed intrusion.
11. Where practical, bare areas in medians are mulched to reduce weed growth. Mulch can also be used in smaller vacant City parcels and overpass abutments to inhibit weed growth.
12. Larger parcels, such as City property along Stevens Creek and Shoreline at Mountain View Park, are left in a natural state. Annual grasses and weeds on these properties are flail mown annually to reduce fire hazard per the County Fire Marshal.
13. Insect populations are monitored in "high-use pedestrian areas" and treatment occurs only if pest populations exceed threshold limits.
14. Biological controls are implemented, such as using *Bacillus thuringiensis* (BT) to control tussock moth larva, as an alternative to insecticides.
15. Trapping is used to control gophers in landscaped areas rather than poison baits.
16. When pesticides are used as part of the IPM control program, the least toxic alternative is selected and targeted application reduces pesticide use.

### 3.2.2 IPM Practices at Shoreline Golf Links

1. Maintain healthy, disease-resistant turfgrass throughout the golf course, which reduces the need for pest control practices.
2. Improved turf health reduces the need for large-scale pesticide applications.
3. Comprehensive aeration of the entire golf course (greens, tees, fairways, roughs, and surrounding area).
4. Enhanced fertilizer applications to improve turf health.

5. Upgraded irrigation system, installed in 1999-2000, improves water distribution and turf health.
6. Upgraded subsurface drainage system to improve turf health and eliminate black layer, which is an impermeable layer in the soil profile that impedes drainage, and creates a water-saturated zone with anaerobic conditions.
7. Performing necessary soil amendments (balancing soil, sand, and organic component of the root zone) has improved turf health.
8. Spiking, verticutting, and topdressing are on a regular program to decrease black layer in soil and eliminate excessive amounts of thatch. These practices prevent increased disease, insect activity, potential hydrophobic restrictions in water penetration, and scalping by greens mowers, among other problems.
9. Control measures for rodents and other pests.
10. Lower mowing heights reduce weeds.
11. Targeted pesticide application limits pesticide use by using only the specific pesticide that is needed to control the pest or disease.

### 3.2.3 IPM Practices at City Facilities

1. Monitoring pest populations using glue traps and other devices.
2. Inspecting City facilities to identify conditions which could lead to a pest problem.
3. Track pests to their source to minimize pesticide use.
4. Consider the pests' biological characteristics, including life span, life cycle, eating habits, and mating habits, to select the most effective method for pest control.
5. Use of bait for various pests, which minimizes the use of pesticides.
6. Use of traps for various pests.
7. Identifying and eliminating sources of pest attraction (i.e. food, water).
8. Identifying and eliminating pathways for pest entry into buildings.

### 3.3 Process for Using EPA Toxicity Category I and II Pesticides

Though the purpose of the IPM Plan is to reduce pesticide use at City facilities, some pest infestations may occur where potentially harmful pesticides are necessary to control the pest population.

#### 3.3.1 Use of Category I Pesticides

The City's IPM Policy bans the use of EPA Toxicity Category I pesticides. Exemptions to the ban of Category I pesticides may be granted in emergency cases where a pest outbreak poses an immediate threat to public health or significant economic loss will result if the banned pesticide is not applied.

Category I pesticides will only be applied after their use is recommended by a Pest Control Advisor and is approved by the Community Services Director or the Director's designee. City staff that may be considered "Director's designee" include, but are not limited to the Golf Course Superintendent, the Forestry and Roadway Landscape Supervisor, and the Parks Supervisor. Documentation of the rationale for using Category I pesticides must be included with the IPM tracking records. Documentation of the decision to use Category I pesticides can be in the form of a report or letter explaining the situation, including any supporting documentation. The Pest Control Advisor and the Community Services Director or the Director's designee must sign the documentation.



### 3.3.2 Use of Category II Pesticides

The City's IPM Policy also limits the use of EPA Toxicity Category II pesticides. Category II pesticides may be used in situations where a Pest Control Advisor recommends their use after non-chemical IPM methods and Category III pesticides have proven ineffective. Category II pesticides may also be used in situations where a Pest Control Advisor recommends their use to prevent or control a pest outbreak that poses an immediate threat to public health or significant economic loss.

Documentation of the rationale for using Category II pesticides must be included in pesticide application records. Any supporting documentation that explains why a Category II pesticide was used should be attached to the pesticide use records and submitted for record-keeping purposes.

### 3.4 Use of Pesticides that may Adversely Effect Water Quality

In addition to limits on the use of Category I and Category II pesticides, the City must also consider limits on pesticides that may adversely effect water quality.

#### 3.4.1 303(d) Listed Pesticides

The City will reduce, phase-out, and ultimately eliminate pesticides listed on the State of California's 303(d) list as causing impairment of surface waters. These pesticides include diazinon, dieldrin, chlordane, and DDT.

#### 3.4.2 Other Pesticides of Concern

The City will also minimize organophosphate and copper-based pesticides, where feasible, to reduce potential water quality impacts. When used, these pesticides will be applied in a way that minimizes water quality impacts. If reasonable alternatives are available, they will be considered for use.

## Section 4 – BMPs for Safe Pesticide Storage, Use, and Disposal

Though the goal of this IPM Plan is to minimize pesticide use, IPM philosophy recognizes that pesticides may be needed in some cases. When pesticides are used, it is important for employees to follow safety procedures. The purpose of this section is to provide Best Management Practices (BMPs) for the safe storage, use, and disposal of pesticides.

### 4.1 Pesticide Storage BMPs

Safe pesticide storage BMPs are listed below:

1. Minimize storage quantities by purchasing only what is needed for short-term use.
2. All pesticides must be stored in accordance with Chapter 24 of the Mountain View City Code.
3. Pesticides must be stored in locked containers or storage units at designated storage areas. The primary storage areas are the containers located at the MOC, near the Fleet Services Building. There is also a designated storage area at the Shoreline Golf Links' maintenance yard.
4. Pesticides must be stored in compatible secondary containment that will not react with leaked chemicals.

5. Ensure that pesticides are stored with compatible chemicals.
6. Ensure lids are securely fastened to pesticide containers.
7. Do not store pesticides in areas exposed to rain or irrigation water.
8. Pesticide storage areas must be posted with appropriate warning signs and hazard placards.
9. All pesticides must be stored in properly labeled containers.
10. Provide spill kit in pesticide storage area, and ensure employees are trained regarding spill kit usage.

#### 4.2 Pesticide Use BMPs

Safe pesticide use BMPs are listed below:

1. Seek out the least toxic pesticide for the situation.
2. Read and follow instructions listed on the product label. Apply pesticide as directed on the label. Become familiar with potential health hazards and instructions for medical response if exposure occurs.
3. Use only the legal label rate for all pesticide applications to ensure that the plant material takes up the chemical and reduces or eliminates excess or residue.
4. Wear personal protective equipment, including gloves, eye protection, respirators, and full body protective suits, as needed.
5. To minimize waste generation, only apply amount of pesticide needed for the treatment.
6. Apply spot treatments whenever possible.
7. Calibrate spray equipment to control amount of pesticide that will be applied.
8. Minimize drift and overspray by applying pesticides only on days when the wind speed is low.

#### 4.3 Pesticide Disposal BMPs

Safe pesticide disposal BMPs are listed below:

1. Never dispose of pesticides in storm drains, sinks, trash cans, or on the ground.
2. Follow label instructions for disposal of empty pesticide containers.
3. Dispose of unused pesticide as hazardous waste in accordance with all applicable regulations.
4. Keep hazardous waste disposal manifest records for a minimum of three years.

## Section 5 – BMPs for Water Quality Protection

Naturally, the best way to prevent pesticide contamination in waterways is to avoid using pesticides. In some cases, however, pesticides will be needed. When pesticides are used, Best Management Practices to protect water quality must be implemented to prevent water contamination.

### 5.1 BMPs for Water Quality Protection

1. Never dump pesticides into storm drains, sinks, trash cans, or in the ground.
2. When rinsing pesticide application equipment, never allow rinse water to flow into a storm drain or sanitary sewer drain. Sprayer rinse water should be applied to the treated area.
3. Apply pesticides when weather conditions are favorable. Never apply pesticides when rain is expected or when it is windy.
4. Avoid applying pesticides on paved areas or near storm drains or waterways.
5. Prevent overwatering after applying pesticides.

## Section 6 – Pesticide Use Tracking and Reporting

### 6.1 Pesticide Use and IPM Tracking

An important aspect of the IPM Plan is to establish a mechanism for tracking and reporting pesticide use at City facilities. Tracking pesticide use will provide information that can be used to evaluate compliance with NPDES permit requirements and to investigate pesticide usages that may be evaluated for alternative, less toxic solutions.

City divisions that apply pesticides are required to track pesticide use and submit monthly pesticide use reports to the State of California's Department of Pesticide Regulations. These reports will be used to track pesticide use at City facilities. Pesticide application by the City's pest control contractor will also be tracked using invoices, which indicate types and quantities of pesticides used.

Information from the monthly pesticide use reports and from the City's pest control contractor will be entered into a pesticide use database. The City's Fire and Environmental Protection Division will maintain the pesticide use database. The database will allow the City to track and report the types of pesticides used, their active ingredients, and quantities used. Pesticide use summaries and IPM Tracking Forms will be included with the City's Annual Report for the Urban Runoff Pollution Prevention Program, which is submitted to the State of California's Regional Water Quality Control Board.

## Section 7 – Outreach and Education

Another important aspect of the IPM Plan is outreach and education. Outreach and education involves two elements. The first element is training City employees about the IPM Plan requirements. The second element is educating the public about integrated pest management and pesticide pollution prevention.

### 7.1 City Employee Training

The level of City employee training depends upon the employees' involvement with pest control operations. Relatively few employees use pesticides as part of their jobs, but all employees must be trained about the policy prohibiting the purchase of over-the-counter pesticides for use at City facilities. Community Services Department (CSD) personnel maintain parks, landscaping, and the golf course and should have an understanding of IPM philosophies. CSD personnel that perform maintenance activities but do not apply pesticides should have a basic understanding of the IPM Plan and the decision-making process involved with controlling pests. Pest identification skills and early detection of potential pest outbreaks may help control pest populations without pesticides since the IPM methods can be used before an infestation occurs.

Pest Control Applicators and Pest Control Advisors receive regular training regarding pesticide related issues, including IPM. All Pest Control Applicators and Pest Control Advisors must complete training required to maintain those certifications. Typically, the training includes information about pesticide application and safety. Pest Control Applicators and Pest Control Advisors will continue to complete training needed to maintain professional certifications. Furthermore, CSD employees will attend regionally sponsored IPM training courses, when available and applicable.

### 7.2 Public Education

Public outreach and education efforts are conducted as part of the City's Urban Runoff Management Plan. The goal of public outreach and education is to inform residents about ways they can prevent storm water pollution. One area of the City's overall storm water education and outreach effort is pesticide education. The goals of pesticide education are to inform residents about IPM practices and pesticide pollution prevention practices.

The City conveys pesticide education information by implementing the following activities:

1. Distribution of IPM brochures and fact sheets at public events, such as the Art and Wine Festival, Arbor Day, and A La Carte and Art Festival.
2. Articles and advertisements in local publications, such as the Resource Newsletter, and the Chamber of Commerce Newsletter.
3. Participation in the regional "Our Water, Our World" program, which targets consumers by educating nursery and hardware store employees about IPM techniques, and how to promote less-toxic products. Promotional materials are provided to participating stores. The three Mountain View stores listed below participate in this program.
  - Blossom True Value Hardware – 141 El Camino Real East
  - Orchard Supply Hardware – 2555 Charleston Road
  - Summer Winds Nursery – 805 Yuba Drive

### 7.3 Household Hazardous Waste Collection

Another important aspect of public education related to pesticide management and pollution prevention is the availability of Household Hazardous Waste Disposal facilities. Mountain View residents can dispose of waste pesticides and other household hazardous wastes through the County of Santa Clara's Household Hazardous Waste Program. Residents can call the County at (408) 299-7300, or visit the website at [www.hhw.org](http://www.hhw.org) for further information or a list of scheduled events.

### 7.4 IPM at New Development Sites

As part of compliance with the NPDES Permit, the City will also require IPM-related conditions at new development sites. The conditions will be developed by the County-wide storm water program and will be implemented into the City's Site Plan and Architectural Review process upon completion. Examples of the types of IPM conditions will be to require landscaping with pest-tolerant plants and designing landscaping to prevent pests from entering buildings.

## **Section 8 – Definitions**

Whenever used in this Plan, the following terms shall have the meanings set forth below:

- a) "Contractor" means a person, firm, corporation, or other entity, including a governmental entity that enters into a contract with the City to provide landscape maintenance or related activities.
- b) "Integrated Pest Management" is an ecosystem-based strategy that focuses on long-term prevention of pests and their damage through a combination of techniques, such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms and the environment (Flint, University of California, 2001).
- c) "NPDES permit" is a regulatory document issued by the State of California to control the discharge of pollutants into waterways. NPDES is an acronym for National Pollutant Discharge Elimination System.
- d) "Pests" are organisms that interfere with the availability, quality, or value of a managed resource. Examples of pests include, but are not limited to, insects, rodents, weeds, and other animals.
- e) "Pest Control Advisor" means someone who is licensed by the California Department of Pesticide Regulations in accordance with California Code of Regulations Title 3, Article 5. Only a licensed Pest Control Advisor, who is registered with the County Agricultural Commissioner, may provide written pest control recommendations for areas such as parks, golf courses, and public rights-of-way.
- f) "Pesticide" means pesticide as defined in Section 12753 of the California Food and Agricultural Code, including, but not limited to, herbicides, insecticides, and fungicides.
- g) "Toxicity Category I Pesticide" means any pesticide product that meets United States Environmental Protection Agency criteria for Toxicity Category I under Section 156.10 of Part 156 of Title 40 of the Code of Federal Regulations.
- h) "Toxicity Category II Pesticide" means any pesticide product that meets United States Environmental Protection Agency criteria for Toxicity Category II under Section 156.10 of Part 156 of Title 40 of the Code of Federal Regulations.

- i) "Toxicity Category III Pesticide" means any pesticide product that meets United States Environmental Protection Agency criteria for Toxicity Category III under Section 156.10 of Part 156 of Title 40 of the Code of Federal Regulations.

## APPENDIX A

PERMIT PROVISION C.9.d., CONTROL PROGRAM FOR PESTICIDES<sup>1</sup>

**d. Control Program for Pesticides.** To address the impairment of urban streams by diazinon, the Dischargers shall implement a pesticide toxicity control plan (Pesticide Plan) that addresses their own use of pesticides, including diazinon and other lower priority pesticides no longer in use, such as chlordane, dieldrin and DDT, and the use of such pesticides by other sources within their jurisdictions. The Dischargers may address this requirement by building upon their prior submissions to the Regional Board. They may also coordinate with BASMAA, the Urban Pesticide Committee, and other agencies and organizations.

**i. Pesticide Use by Dischargers**

The Pesticide Plan shall include a program to quantitatively identify each Discharger's pesticide use by preparing a periodically updated inventory of pesticides used by all internal departments, divisions, and other operational units as applicable to each Discharger. The Pesticide Plan shall include goals and implementing actions to replace pesticide use (especially diazinon use) with least toxic alternatives. Schools and special district operations shall be included in the Pesticide Plan to the full extent of each Discharger's authority. The Dischargers shall adopt and verifiably implement policies, procedures, and/or ordinances requiring the minimization of pesticide use and the use of integrated pest management (IPM) techniques in the Dischargers' operations. The policies, procedures, and/or ordinances shall include 1) commitments to reduce use, phase-out, and ultimately eliminate use of pesticides that cause impairment of surface waters, and 2) commitments to not increase the Dischargers' use of organophosphate pesticides without justifying the necessity and minimizing adverse water quality impacts. The Dischargers shall implement training programs for all municipal employees who use or could use pesticides, including pesticides available over the counter. These programs shall address pesticide-related surface water toxicity, proper use and disposal of such pesticides, and least toxic methods of pest prevention and control, including IPM. The Pesticide Plan shall be subject to updating via the Dischargers' continuous improvement process.

**ii. Other Pesticide Sources.** To address other pesticide users within the Dischargers' jurisdictions (including schools and special district operations that are not owned or operated by the Dischargers), the Pesticide Plan shall include the following elements:

- Public education and outreach programs. Such programs shall be designed for residential and commercial pesticide users and pest control operators. These programs shall provide targeted information concerning proper pesticide use and disposal, potential adverse impacts on water quality, and alternative, least toxic methods of pest prevention and control, including IPM. These programs shall also target pesticide retailers to encourage the sale of least toxic alternatives and to facilitate point-of-sale public outreach efforts. These programs may also recognize local least toxic pest management practitioners.
- Mechanisms to discourage pesticide use at new development sites. Such mechanisms shall encourage the consideration of pest-resistant landscaping and design features, minimization of impervious surfaces, and incorporation of stormwater detention and retention techniques in the design, landscaping, and/or environmental reviews of

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<sup>1</sup> From Order No. 01-024 reissuing waste discharge requirements for the Santa Clara Valley Urban Runoff Pollution Prevention Program, NPDES Permit No. CAS029718, adopted February 21, 2001.



proposed development projects. Education programs shall target individuals responsible for these reviews and focus on factors affecting water quality impairment.

- Coordination with household hazardous waste collection agencies. The Dischargers shall support, enhance, and help publicize programs for proper pesticide disposal.

The Pesticide Plan shall include a schedule for implementation and a mechanism for reviewing and amending the plan, as necessary, in subsequent years. The Pesticide Plan shall be submitted to the Executive Officer by July 1, 2001.

### iii. **Other Pesticide Activities**

The Dischargers shall work with the Urban Pesticide Committee and other municipal stormwater management agencies in the Bay Area to assess which diazinon products and uses and previous uses of dieldrin, chlordane, and DDT pose the greatest risks to surface water quality. Along with incorporating this information into the programs described above, the Dischargers shall work with the Urban Pesticide Committee and other municipal stormwater management agencies to encourage US EPA, the California Department of Pesticide Regulation (DPR), and pesticide manufacturers to understand the adverse impacts of diazinon, dieldrin, chlordane, and DDT on urban creeks, monitor US EPA and DPR activities related to the registration of diazinon products and uses, and actively encourage US EPA, DPR, and pesticide manufacturers to eliminate, reformulate, or otherwise curtail, to the extent possible, the sale and use of diazinon when it poses substantial risks to surface water quality (e.g., when there is a high potential for runoff).

The Dischargers shall also work with the Regional Board and other agencies in developing a TMDL for diazinon in impaired urban creeks. The Dischargers will participate in stakeholder forums and collaborative technical studies necessary to assist the Regional Board in completing the TMDL. These studies may include, but shall not be limited to, additional diazinon monitoring and toxicity testing.

**APPENDIX B****INFORMATION ON PESTICIDE-REGULATING AGENCIES**

There are three State and County agencies that regulate the application of pesticides: the State Department of Pesticide Regulation, the Structural Pest Control Board, and the County Agricultural Commission. The following describes the roles of these agencies in the licensing and training of pesticide applicators and the monitoring of their activities (i.e., reporting requirements).

**Department of Pesticide Regulation**

The Department of Pesticide Regulation (DPR) is a department of the California Environmental Protection Agency (CAL EPA). The DPR "has primary responsibility for regulating all aspects of pesticide sales and use to protect public health and the environment. The Department's mission is to evaluate and mitigate impacts of pesticide use, maintain the safety of the pesticide workplace, ensure product effectiveness, and encourage the development and use of reduced-risk pest control practices while recognizing the need for pest management in a healthy economy."<sup>1</sup> DPR certifies pesticide applicators that apply certain types of pesticides in agricultural and some outdoor urban settings including rights-of-way, cemeteries, and parks.

**Structural Pest Control Board**

The Structural Pest Control Board is a division of the California Department of Consumer Affairs. Its mission is to "protect and provide redress to the consumer of structural pest control services and is committed to the public's health, safety and welfare."<sup>2</sup> Pesticide applicators that are licensed through the Structural Pest Control Board apply pesticides primarily to structures, rather than to outdoor areas, however, structural pest control operators can apply pesticides in outdoor settings, according to certain limitations. Some examples of outdoor pesticide use by structural pest control operators (PCOs) are applications to the exterior surfaces of buildings, outdoor perimeter spraying, and spraying to cracks in pavement.

**County Agricultural Commissioner**

The County Agricultural Commissioner oversees the training, certification, and regulation of all those applying pesticides in agricultural and urban settings. The health and safety of pesticide applicators and the general public is of primary concern. Additionally, the County Agricultural Commissioner's office engages in activities to prevent the "introduction, establishment, and spread of destructive insects, plant diseases and weeds into the County's urban and agricultural areas."<sup>3</sup>

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<sup>1</sup> DPR web site [<http://www.cdpr.ca.gov/>]

<sup>2</sup> SPCB web site [<http://www.dca.ca.gov/pestboard/>]

<sup>3</sup> County Agricultural Commissioner's web site [<http://santaclaracounty.org/agweights/>]

## Current Pesticide Application Requirements

### *DPR Certification*

- Agricultural Pest Control Advisor License: This license is required by anyone recommending a pesticide be used for a specific pest problem in any agricultural use setting. Although a municipality is not required to have an Advisor on staff it must have a written recommendation for each agricultural application. Often recommendations are obtained from the Licensed Pesticide Dealer (the manufacturer.)
- Qualified Applicator Certificate: This certificate must be held by the supervisor of persons applying pesticides, or the person applying pesticides directly, if the pesticide is restricted a restricted use pesticide. If the pesticide is not a restricted-use pesticide, the applicator need only receive annual training. The supervisor is not required to be present during pesticide application, but must be accessible via radio or telephone to the person applying the pesticide.
- Qualified Applicator License: This license must be held by the supervisor of persons applying pesticides, or the person applying pesticides directly, if the pesticide application is done for hire.
- Pesticide Worker Training: The person directly applying the pesticides does not have to have a qualified Applicator Certificate, but must go through annual "pesticide worker safety" training.

### *Structural Pest Control Board Certification*

The Structural Pest Control Board (SPCB) issues licenses in three categories under three branches. The three licenses are: operators, field representatives, and registered applicators. The three branches are:

- Branch 1: Fumigation, which is the practice relating to the control of household and wood destroying pests or organisms by fumigation with poisonous or lethal gases.
- Branch 2: General pest, which is the practice relating to the control of household pests, excluding fumigation with poisonous or lethal gases.
- Branch 3: Termite, which is the practice relating to the control of wood destroying pests or organisms by the use of insecticides, or structural repairs and corrections, excluding fumigation with poisonous or lethal gases.

### *Training*

The training requirements for the DPR and SPCB are provided below. Neither the DPR nor the SPCB directly provide training to persons wishing to become certified or licensed under the respective departments. The agencies conduct testing and approve training courses and materials offered by private or public educational institutions.

### DPR

The levels of knowledge required by the various license and certificate holders varies according to level of certification. Certified Pest Control Advisors are required to have some knowledge of IPM practices and methods, and to consider IPM when writing recommendations for pest control. Beginning in 2003, Advisors will be required to take four hours of continuing education each year in IPM.

Not all applicators have been trained in IPM, or are required to receive IPM training. IPM is not required as an area of knowledge for qualified applicators and pesticide workers. Knowledge in the areas of

worker and public safety, pesticide handling, regulations pertaining to pesticides, and methods and equipment used in the application of pesticides is generally required.

### SPCB

The levels of knowledge required by the various license and certificate holders varies, depending on the certificate. Generally, the areas of knowledge required for passing the required tests offered by the Structural Pest Control Board fall under the categories of laws and regulations pertaining to pesticides, contracts, and labor; proper business practices; worker and consumer safety; pest identification and biology; methods and equipment used in the application of pesticides; and wood treatment and structural repair. IPM is not specifically listed in Structural Pest Control knowledge requirements.

### *Reporting*

The application of all restricted-use pesticides and agricultural use pesticides must be reported on a monthly basis to the local County Agricultural Commissioner's office using a DPR-approved monthly summary form (three copies one of which is kept by the originator). The pesticide product name and manufacturer, the EPA pesticide registration number, quantity used, number of applications, commodity or site treated, and acres or units treated may be reported depending on the application. The Agricultural Commissioner keeps one copy and sends the second copy to DPR. This requirement applies to all licensed pesticide applicators (including municipal staff and commercial applicators)<sup>4,5</sup>.

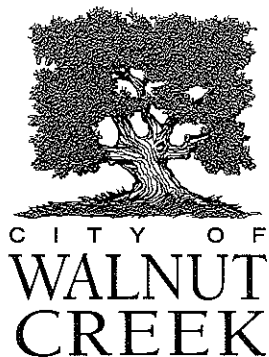
Pesticide applications on "Production Agriculture"<sup>4</sup> sites are reported and can be sorted by township/range coordinates. Applications on "Non-production Agriculture"<sup>5</sup> sites and applications by structural pest control operators are reported by County.

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<sup>4</sup> Production agriculture sites, as defined by the DPR, are sites where crops or livestock are grown.

<sup>5</sup> Non-production agriculture sites, as defined by the DPR, are sites on which pesticide use is regulated by the DPR and include areas such as, but not limited to, cemeteries, parks, golf courses, and rights-of-way.

# **Attachment 2**



September 15, 2010

Bruce H. Wolfe, Executive Officer  
California Regional Water Quality Control Board  
San Francisco Bay Region  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

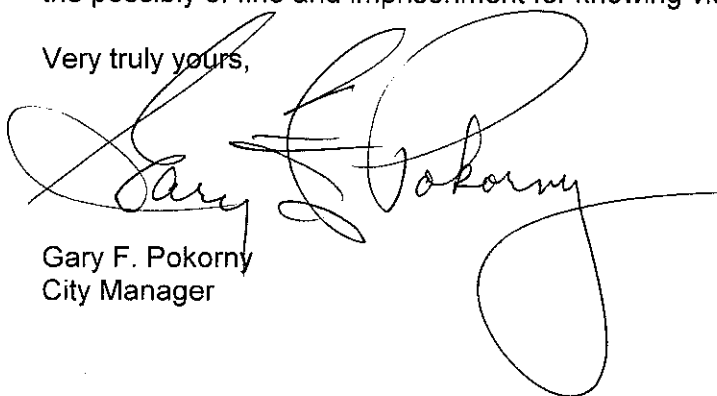
Ms. Pamela Creedon, Executive Officer  
California Regional Water Quality Control Board  
Central Valley Region  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670-6114

Dear Mr. Wolfe and Ms. Creedon:

Enclosed is the 2009 - 2010 Annual Report for the City of Walnut Creek, which is required by and in accordance with Provision C.16 in National Pollutant Discharge Elimination System (NPDES) Permit Number CAS612008 issued by the San Francisco Bay Regional Water Quality Control Board and/or by Provision D.5 in NPDES Permit Number CA0083313 issued by the Central Valley Regional Water Quality Control Board.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Very truly yours,



Gary F. Pokorny  
City Manager

Enclosure

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Section 1 – Permittee Information

Background Information			
<b>Permittee Name:</b>	City of Walnut Creek		
<b>Population:</b>	65,860 <sup>1</sup>		
<b>NPDES Permit No.:</b>	CAS612008 (San Francisco Bay Permit)		
<b>Order Number:</b>	R2-2009-0074 (San Francisco Bay Permit)		
<b>Reporting Time Period (month/year):</b>	July 1, 2009 through June 30, 2010		
<b>Name of the Responsible Authority:</b>	Gary F. Pokorny	<b>Title:</b>	City Manager
<b>Mailing Address:</b>	1666 North Main Street		
<b>City:</b>	Walnut Creek	<b>Zip Code:</b>	CA 94596
		<b>County:</b>	Contra Costa
<b>Telephone Number:</b>	925-943-5812	<b>Fax Number:</b>	925-256-3599
<b>E-mail Address:</b>	Pokorny@walnut-creek.org		
<b>Name of the Designated Stormwater Management Program Contact (if different from above):</b>	Rinta S. Perkins	<b>Title:</b>	NPDES Program Manager
<b>Department:</b>	Public Services Department – Engineering Division		
<b>Mailing Address:</b>	1666 North Main Street		
<b>City:</b>	Walnut Creek	<b>Zip Code:</b>	CA 94596
		<b>County:</b>	Contra Costa
<b>Telephone Number:</b>	925-256-3511	<b>Fax Number:</b>	925-256-3550
<b>E-mail Address:</b>	Perkins@walnut-creek.org		

<sup>1</sup> Based on State of California's Department of Finance population estimates as of January 1, 2009.



Section 2 - Provision C.2 Reporting Municipal Operations

**Program Highlights and Evaluation**

Highlight/summarize activities for reporting year:

Summary: (See the Fiscal Year 2009 – 2010 Group Program Annual Report for a summary of activities conducted countywide and regionally on our behalf.)

- The City of Walnut Creek is a member of the Municipal Operations Committee (of the Contra Costa Clean Water Program/CCCWP) and a member of the Municipal Operations and Trash Reduction Committee (of the Bay Area Stormwater Agencies Association/BASMAA).
- The City's commitment to pollution prevention is outlined in the Storm Water Pollution Prevention Plan (SWPPP) prepared for its main Corporation and three maintenance yards. This fiscal year, we updated the SWPPP document to meet the provisions of the City's Municipal NPDES Regional Permit. The SWPPP along with other reference documents are made available at all Corporation and maintenance yards.
- To verify that best management practices (BMPs) were implemented in daily activities, annual audits were performed in August and September 2009 at all four locations (the City's main Corporation Yard, Boundary Oak Golf Course maintenance yard, Heather Farm Park maintenance yard, and Traffic Operations Center). Deficiencies were noted and corrected (see **Table C.2.f** below).
- Most municipal maintenance activities are performed by the Clean Water crew, which consists of four full-time employees of the Street Maintenance Division. They are responsible for the street sweeping, drainage maintenance, and routine dry-weather inspections. They perform these stormwater-related activities throughout the year according to an established schedule.
- Stormwater best management practices for construction activities were required in all capital investment projects (CIPs) through contract specifications, pre-construction meetings, and regular construction inspections. In this permit year, the City constructed three roadway related maintenance projects. A copy of "Pollution Prevention – It's Part of the Plan" poster was attached to each project's construction plans.
- The City swept a total of 13,100 curb miles in this fiscal year and removed 1,850 cubic yards of debris from street sweeping activities. Additionally the City inspected 4,172 storm drain inlets, 113 culverts, 23 trash racks, 13 miles of V-ditches and 18 miles of open channels; our crews cleaned these facilities at least once a year. A total of 85 cubic yards of debris were removed from these drainage structures.
- In November 2009, the NPDES Coordinator gave four trainings to sixty staff members from Public Services Department and Building Division on spills responses, installing erosion and sediment control measures at their work areas and updates on the new Municipal NPDES Regional Permit. Staffs were trained to use the telephone tree to route phone calls when dealing with major spills and other environmental-related concerns.

**C.2.a. ► Street and Road Repair and Maintenance**

Place an **X** in the boxes next to implemented BMPs to indicate that these BMPs were implemented in applicable instances. If not applicable, type **NA** in the box. If one or more of these BMPs were not adequately implemented during the reporting fiscal year then indicate so and provide explanation in the comments section below:

<b>X</b>	Control of debris and waste materials during road and parking lot installation, repaving or repair maintenance activities from polluting stormwater
<b>X</b>	Control of concrete slurry and wastewater, asphalt, pavement cutting, and other street and road maintenance materials and wastewater from discharging to storm drains from work sites
<b>X</b>	Sweeping and/or vacuuming and other dry methods to remove debris, concrete, or sediment residues from work sites upon completion of work

Comments:  
 Appropriate best management practices (BMPs) were implemented during street and sidewalk repair and maintenance. Prior to the work, nearby storm drain inlets were protected. Stockpiled materials, if any, were placed away from inlets. Regular sweeping was conducted to remove debris from entering inlets. Upon completion of the work, slurry and wastewater were removed with a portable vacuum and disposed of properly. These best management practices were highlighted in the "Pollution Prevention – It's Part of the Plan" poster that was included with the construction standard specifications and plans.

**C.2.b. ► Sidewalk/Plaza Maintenance and Pavement Washing**

Place an **X** in the boxes next to implemented BMPs to indicate that these BMPs were implemented in applicable instances. If not applicable, type **NA** in the box. If one or more of these BMPs were not adequately implemented during the reporting fiscal year then indicate so and explain in the comments section below:

<b>X</b>	Control of wash water from pavement washing, mobile cleaning, pressure wash operations at parking lots, garages, trash areas, gas station fueling areas, and sidewalk and plaza cleaning activities from polluting stormwater
<b>X</b>	Implementation of the BASMAA Mobile Surface Cleaner Program BMPs

Comments:  
 The City's maintenance staff person responsible for flat-surface cleaning activities is a BASMAA-certified surface cleaner. He is trained to contain and properly dispose of wastewater during cleaning of sidewalks, plazas, parking lots and parking garages. This staff and NPDES Coordinator provided in-house training to staff of Public Services Department and Building Division on surface cleaning best management practices. BASMAA's surface cleaning BMPs brochure was used as a reference document. This brochure was distributed to other City staff who perform surface cleaning as part of their routine works. All divisions within Public Services Department either own or have access to a portable Vacuum unit that can be used to remove wastewater during cleanups.  
 Three of the four municipal maintenance yards have a wash pad equipped with a 3-chamber oil separator with a connection to the sanitary sewer system. At these pads maintenance staff disposed of wastewater collected during these activities.

**C.2.c. ► Bridge and Structure Maintenance and Graffiti Removal**

Place an **X** in the boxes next to implemented BMPs to indicate that these BMPs were implemented in applicable instances. If not applicable, type **NA** in the box. If one or more of these BMPs were not adequately implemented during the reporting fiscal year then indicate so and explain in the comments section below:

<input checked="" type="checkbox"/>	Control of discharges from bridge and structural maintenance activities directly over water or into storm drains
<input checked="" type="checkbox"/>	Control of discharges from graffiti removal activities
<input checked="" type="checkbox"/>	Proper disposal for wastes generated from bridge and structure maintenance and graffiti removal activities
<input checked="" type="checkbox"/>	Implementation of the BASMAA Mobile Surface Cleaner Program BMPs for graffiti removal

Comments:

The same Maintenance staff person responsible for activities outlined in Section C.2.b is also responsible for graffiti removal. He is a BASMAA-trained and certified surface cleaner. Most graffiti was removed by painting over the affected surface. If washing is required, staff blocked nearby inlets to prevent wastewater from entering. In all cases, a portable vacuum unit was used to remove debris and wastewater.

The City typically contracts out maintenance of public bridges and includes a reference to Caltrans' Stormwater BMPs Guideline for such work in the contract standard specifications. Extra precaution was exercised when maintaining a bridge over a waterway. A barrier was placed under the working area to catch any debris that may otherwise fall onto the waterway below. In FY 2009-10 there was no maintenance project for bridges and other structures.

**C.2.d. ► Stormwater Pump Stations**

Does your municipality own stormwater pump stations:  Yes  No

If your answer is **No** then skip to **C.2.e.**

(For FY 10-11 Annual Report only) Complete the following table for dry weather DO monitoring and inspection data for pump stations<sup>2</sup> (add more rows for additional pump stations):

Pump Station Name and Location	First inspection Dry Weather DO Data		Second inspection Dry Weather DO Data	
	Date	mg/L	Date	mg/L

<sup>2</sup> Pump stations that pump stormwater into stormwater collection systems or infiltrate into a dry creek immediately downstream are exempt from DO monitoring.

**FY 2009-2010 Annual Report**  
**Permittee Name: City of Walnut Creek**

**C.2 – Municipal Operations**

*(For FY 10-11 Annual Report only)* Summarize corrective actions as needed for DO monitoring at or below 3 mg/L. Attach inspection records of additional DO monitoring for corrective actions:

Summary:  
 The City does not own a pump station.

Attachments:  
 Not applicable.

*(For FY 10-11 Annual Report only)* Complete the following table for wet weather inspection data for pump stations (add more rows for additional pump stations):

<b>Pump Station Name and Location</b>	<b>Date</b> (2x/year required)	<b>Presence of Trash</b> (Cubic Yards)	<b>Presence of Odor</b> (Yes or No)	<b>Presence of Color</b> (Yes or No)	<b>Presence of Turbidity</b> (Yes or No)	<b>Presence of Floating Hydrocarbons</b> (Yes or No)

C.2.e. ► Rural Public Works Construction and Maintenance					
Does your municipality own/maintain rural <sup>3</sup> roads:		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If your answer is <b>No</b> then skip to <b>C.2.f.</b>					
Place an <b>X</b> in the boxes next to implemented BMPs to indicate that these BMPs were implemented in applicable instances. If not applicable, type <b>NA</b> in the box. If one or more of the BMPs were not adequately implemented during the reporting fiscal year then indicate so and explain in the comments section below:					
<input type="checkbox"/>	Control of road-related erosion and sediment transport from road design, construction, maintenance, and repairs in rural areas				
<input type="checkbox"/>	Identification and prioritization of rural road maintenance based on soil erosion potential, slope steepness, and stream habitat resources				
<input type="checkbox"/>	No impact to creek functions including migratory fish passage during construction of roads and culverts				
<input type="checkbox"/>	Inspection of rural roads for structural integrity and prevention of impact on water quality				
<input type="checkbox"/>	Maintenance of rural roads adjacent to streams and riparian habitat to reduce erosion, replace damaging shotgun culverts and excessive erosion				
<input type="checkbox"/>	Re-grading of unpaved rural roads to slope outward where consistent with road engineering safety standards, and installation of water bars as appropriate				
<input type="checkbox"/>	Inclusion of measures to reduce erosion, provide fish passage, and maintain natural stream geomorphology when replacing culverts or design of new culverts or bridge crossings				
Comments including listing increased maintenance in priority areas:					

<sup>3</sup> Rural means any watershed or portion thereof that is developed with large lot home-sites, such as one acre or larger, or with primarily agricultural, grazing or open space uses.

C.2.f. ► Corporation Yard BMP Implementation	
Place an <b>X</b> in the boxes below that apply to your corporation yard(s):	
<input type="checkbox"/>	We do not have a corporation yard
<input type="checkbox"/>	Our corporation yard is a filed NOI facility and regulated by the California State Industrial Stormwater NPDES General Permit
<input checked="" type="checkbox"/>	We certify that we have a current <b>Stormwater Pollution Prevention Plan (SWPPP)</b> for the Corporation Yard(s)
Place an <b>X</b> in the boxes below next to implemented SWPPP BMPs to indicate that these BMPs were implemented in applicable instances. If not applicable, type <b>NA</b> in the box. If one or more of the BMPs were not adequately implemented during the reporting fiscal year then indicate so and explain in the comments section below:	
<input checked="" type="checkbox"/>	Control of pollutant discharges to storm drains such as wash waters from cleaning vehicles and equipment
<input checked="" type="checkbox"/>	Routine inspection prior to the rainy seasons of corporation yard(s) to ensure non-stormwater discharges have not entered the storm drain system
<input checked="" type="checkbox"/>	Containment of all vehicle and equipment wash areas through plumbing to sanitary or another collection method
<input checked="" type="checkbox"/>	Use of dry cleanup methods when cleaning debris and spills from corporation yard(s) or collection of all wash water and disposing of wash water to sanitary or other location where it does not impact surface or groundwater when wet cleanup methods are used
<input checked="" type="checkbox"/>	Cover and/or berm outdoor storage areas containing waste pollutants
<p>Comments:</p> <p>The Storm Water Pollution Prevention Plan (SWPPP) for the City's Corporation and three municipal maintenance yards was recently updated in April 2010. The document identified potential sources of pollutant discharges at each site, described the implementation of best management practices to reduce and prevent pollutant discharges as well as spill responses. The document identified the Implementation Committee responsible for updating, reviewing and overseeing BMPs implementation. Consistent with the recently adopted MRP, this document referred to applicable BMPs described in the Caltrans Storm Water Quality Handbook: Maintenance Staff Guide and the California BMPs Handbook for Municipal Operations. The SWPPP and reference documents are made available at each Corporation and maintenance yard location.</p> <p>In August and September 2009, NPDES Coordinator inspected all four yards. Deficiencies were noted and shared with the respective supervisors who made the corrections promptly. Part of the inspection was to assure that each facility is equipped with spill kits easily accessible to staff. Most City vehicles and equipments have spill kits. Locations of the kits were made known to Public Services staff.</p> <p>At least once a year, NPDES Coordinator provided in-house training to City staff on storm water-related topics. In October 2009, the training focused on surface cleaning best management practices (BMPs) followed by a field demonstration. Sixty-one staff members from Public Services Department and Building Division attended four sessions of the training. Staffs were trained to use the telephone tree to route phone calls when dealing with major spills and other environmental-related concerns. Future training (in FY 2010-11) will go over the revised Storm Water Pollution Prevention Plan and pertinent reference documents.</p>	

If you have a corporation yard(s) that is not an NOI facility, complete the following table for inspection results for your corporation yard(s) or attach a summary including the following information:

<b>Corporation Yard Name</b>	<b>Inspection Date</b> (1x/year required)	<b>Inspection Findings/Results</b>	<b>Follow-up Actions</b>
Corporation Yard, 511 Lawrence Way	September 2, 2009	<ul style="list-style-type: none"> <li>The site was generally clean and tidy. Storage areas and receiving warehouse were regularly cleaned.</li> <li>Two inlets had illegible "No Dumping – Drains to Creek" decals.</li> <li>Empty containers in the fleet maintenance garage had to be consolidated and hauled away.</li> <li>Manifest (record) of HHW recycling was needed.</li> <li>Manifest (record) of wash pad's interceptor maintenance was needed.</li> </ul>	<p>All corrective actions were either completed or in the process of being implemented by October 11, 2009.</p> <p>Oil separator was on 90-day maintenance schedule.</p>
Traffic Operations Center, 508 Lawrence Way	September 4, 2009	<ul style="list-style-type: none"> <li>One inlet had illegible "No Dumping – Drains to Creek" decal.</li> <li>Storage area had to be cleaned up or swept. Empty containers were to be hauled away or recycled.</li> <li>Ensured containers have original labels.</li> </ul>	All corrective actions were completed by October 11, 2009.
Heather Farm Park maintenance yard, 300 North San Carlos	September 10, 2009	<ul style="list-style-type: none"> <li>Manifest (record) of wash pad's interceptor maintenance was needed.</li> <li>The area in front of landscaping material bins had to be cleaned or swept. Cleaning of engines had to be done elsewhere and not on the wash pad.</li> </ul>	<p>All corrective actions were completed by October 11, 2009.</p> <p>Oil separator was on 90-day maintenance schedule.</p>
Boundary Oak Golf Course maintenance yard, 3600 Valley Vista Road	August 27, 2009	<ul style="list-style-type: none"> <li>Manifest (record) of wash pad's interceptor maintenance was needed.</li> <li>Removed unrelated items from wash pad to the designated storage.</li> <li>Cleaned up the auto fluid spills inside the maintenance shed.</li> <li>Structural improvement was needed to cover the outdoor service bay. In the interim, no work involving auto fluid exchange can be done at this facility.</li> </ul>	Oil separator was on 90-day maintenance schedule. Most corrective actions were completed by October 11, 2009 with the exception of the structural improvement to the service bay. In the FY 2012-22 10-years CIP Plan, it will be proposed as a CIP project pending available funding.

# **Attachment 3**



**CITY OF SAN LEANDRO**

**REQUEST FOR QUOTATION**

<b>SUBMIT BID TO:</b>	<b>FOR FURTHER INFORMATION CALL:</b>
City of San Leandro Purchasing Department 835 East 14th Street San Leandro, CA 94577	Darryl Sweet, C.P.M. Purchasing Supervisor Tel (510) 577-3377 Fax (510) 577-3312 dsweet@ci.san-leandro.ca.us

<b>BID NO:</b>	<b>DATE MAILED:</b>	<b>THIS QUOTATION MUST BE DELIVERED TO THE CITY BEFORE:</b>
05-06.029	February 23, 2006	3:00 P.M. , Thursday, March 16, 2006

QTY.	DESCRIPTION	UNIT PRICE	EXTENSION
	<p align="center"><b>Downtown Steam Cleaning</b>  <b>Annual Sidewalk and Walkway Steam Cleaning</b>  <b>Bi-annual Trash Enclosure Steam Cleaning</b></p> <p align="center"><b>Notice to Bidders</b></p> <p>The City of San Leandro shall receive bids for Downtown Steam Cleaning on Thursday, March 16, 2006 at 3:00 p.m. in the Purchasing Department, City Hall, located at 835 E. 14<sup>th</sup> Street, San Leandro, CA 94577.</p> <p>Bids shall be in accordance with the following specifications. <b>Part A</b> is a lump sum bid for an annual steam cleaning of downtown sidewalks and walkways. <b>Part B</b> is for steam cleaning the downtown trash enclosures twice per year.</p> <p>A pre-bid conference is scheduled for Thursday, March 9, 2006 at 10:00 a.m. in the Public Works Service Center Conference Room, located at 14200 Chapman Rd., SL. Potential bidders may use this time to ask specific questions related to the performance of this contract. These are public streets and are available for inspection and measuring at any time prior to bid opening.</p> <p>The Public Works Department, Streets Section, at 510-357-3450, will be overseeing this contract</p> <p>A City of San Leandro business license is required to be in place prior to the start of work, but not required to bid.</p> <p>BASMAA Surface Cleaner certificate of training is required to perform this work. BASMAA certification number: _____.  <a href="http://www.basmaa.org/recognition">www.basmaa.org/recognition</a></p> <p>The one-time sidewalk and walkway cleaning is tentatively scheduled for May 2006. The trash enclosures are tentatively scheduled to be cleaned once in April/May and again in September/October. The City of San Leandro may or may not renew the contract for up to two (2) additional one-year periods (with a corresponding CPI adjustment.)</p> <p>City will award bid in a manner which is in the best interests of the City.</p>		See the enclosed bid forms

A California contractor's license is required for this work. No bid shall be accepted from a contractor who has not been licensed in accordance with Chapter 9, Division 3 of the Business and Professional Code.

The City Council has ascertained the general prevailing rate of wages applicable to the work to be done. A tabulation of the various classifications of work persons to be employed and the prevailing rate of wages applicable thereto is on file in the City Clerk's Office.

Any bid may be withdrawn at any time prior to the time fixed for the opening of bids only by written request for the withdrawal of the bid filed with the City. The request shall be executed by the bidder or bidder's duly authorized representative. The withdrawal of a bid does not prejudice the right of the bidder to file a new bid. Whether or not bids are opened exactly at the time fixed in the public notice for opening bids, a bid will not be received after that time nor may any bid be withdrawn after the time fixed in the public notice for opening of bids.

As stated in Public Contract Code Section 5100 to 5108, inclusive (State Contract Act) concerning relief of bidders and in particular to the requirement therein, that if the bidder claims a mistake was made in his bid, the bidder shall give the City written notice within five (5) days after the opening of the bids of the alleged mistake, specifying in the notice, in detail how the mistake occurred.

All bidders shall verify if any addendum for this project has been issued by the City. It is the bidder's responsibility to ensure that all requirements of contract addendum are included in the bidder's submittal.

The successful bidder shall submit a certificate of insurance showing compliance with the enclosed insurance requirements. This insurance shall be maintained at all times during the course of any resulting agreement. In addition, the successful bidder, and subcontractors of said bidder, shall have, or be required to obtain, a City of San Leandro business license, as well as any and all other applicable licenses and permits related to the performance of this contract.

The City may terminate the contract with or without cause with verbal or written notice to contractor.

The award will be made to the lowest responsible bidder satisfactory to the City's best interests as determined by the City. The right is reserved, as the interest of the City may require, to reject any or all bids, or to waive any informality or minor irregularity in a bid or bids.

To bid, complete and return a copy of the Request and the other required forms, sealed in the enclosed envelope. The envelope shall be marked with the project name and bid number. The bid must be received by the date and time shown in order to be considered. Please note that there is a one-day delay in mail delivery to City Hall by the U.S. Postal Service.

Firm \_\_\_\_\_

Date: \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

FAX: \_\_\_\_\_

By (Signature) \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_



\_\_\_\_\_  
Darryl Sweet, C.P.M.  
Purchasing Supervisor

# City of San Leandro

## Downtown Steam Cleaning Bid 05-06.029 Due 3/19/06

### Annual Sidewalk and Walkway Cleaning May 2006

LABOR AND MATERIALS TO PROVIDE AN ANNUAL HIGH-PRESSURE STEAM CLEANING AND SCRUBBING OF DESIGNATED DOWNTOWN SIDEWALKS.

SIDEWALKS TOTAL 4.2 MILES/22,000 LF. OIL, GUM, HEAVILY SOILED AND/OR MISCELLANEOUS STAINS ETC. TO BE PRE-TREATED AND SPOT CLEANED BEFORE PRESSURE WASHING.

SIDEWALKS TO BE CLEANED ARE:

- E. 14TH STREET - LORRAINE TO WILLIAMS
- HAYS - DAVIS TO JUANA
- WASHINGTON - ESTUDILLO TO WILLIAMS
- W. JUANA - E. 14TH ST. TO HAYS
- PARROTT - E. 14TH ST. TO WASHINGTON
- W. JOAQUIN - E. 14TH ST. TO WASHINGTON
- COURTYARD SIDEWALK AREA BETWEEN W. JOAQUIN AND W. JUANA
- COURTYARD ADJACENT TO TEQUILA GRILL - E.14<sup>TH</sup> ST. TO PARKING LOT
- DAVIS STREET - E. 14<sup>TH</sup> TO HAYS

BOTH SIDES ALL ABOVE LOCATIONS

- DAVIS STREET - E. 14<sup>TH</sup> TO CLARKE

SOUTH SIDE OF STREET

WORK TO BE PERFORMED "AFTER HOURS" AS DESIGNATED BY THE STREETS DEPARTMENT (10 PM THROUGH 4 AM) AND IS TENTATIVELY SCHEDULED FOR MAY 2006.

**Lump Sum Bid Amount for Part A \$ \_\_\_\_\_**

Terms: Net 30 following completion and acceptance of work.

Bidder Name: \_\_\_\_\_

# City of San Leandro

## Downtown Steam Cleaning

Bid 05-06.029

Due 3/19/06

### Bi-Annual Trash Enclosure Steam Cleaning April/May & September/October 2006

LABOR AND MATERIALS TO PROVIDE AN ANNUAL HIGH-PRESSURE STEAM CLEANING AND SCRUBBING OF DESIGNATED DOWNTOWN TRASH ENCLOSURES AND GENERAL AREA AROUND THE ENCLOSURES. TRASH BINS NEED TO BE ROLLED OUT OF ENCLOSURES PRIOR TO CLEANING.

#### TRASH ENCLOSURES

1. WEST JUANA PARKING LOT - AREA INCLUDING THE INSIDE ENCLOSURE (WALLS AND FLOOR) AND AN AREA UP TO 20 FEET SURROUNDING THE ENCLOSURE (PARKING LOT AREA UP TO FACE OF ADJACENT SIDEWALK CURB.)
2. WEST JOAQUIN PARKING LOT - AREA INCLUDING THE INSIDE ENCLOSURE (WALLS AND FLOOR) AND AN AREA UP TO 20 FEET SURROUNDING THE ENCLOSURE (PARKING LOT AREA UP TO FACE OF ADJACENT SIDEWALK CURB.)

WORK TO BE PERFORMED "AFTER HOURS" AS DESIGNATED BY THE STREETS DEPARTMENT (10 PM THROUGH 4 AM) AND IS TENTATIVELY SCHEDULED FOR APRIL OR MAY AND SEPTEMBER OR OCTOBER 2006 (two cleanings.)

**Lump Sum Bid Amount for Part B \$ \_\_\_\_\_ per cleaning**

Terms: Net 30 following completion and acceptance of work.

Bidder Name: \_\_\_\_\_

# City of San Leandro

## Downtown Steam Cleaning

**Bid 05-06.029**

**Due 3/19/06**

### CONTRACTOR REFERENCES

The Bidder shall list the facility owner, location, contact person and phone number for all installation references completed in the past two years, comparable in size and scope to the referenced project.

Facility Owner	Location	Contact	Phone #

Name of Bidder: \_\_\_\_\_

Acknowledgment: \_\_\_\_\_

(Sign and return with bid)

# City of San Leandro

## Downtown Steam Cleaning

**Bid 05-06.029**

**Due 3/19/06**

### LIST OF SUBCONTRACTORS

The Bidder shall list the name, address, and telephone number of each subcontractor to whom the Bidder proposes to subcontract portions of the work.

<b>Subcontractor's Name</b>	<b>Place of Business (Address and Phone)</b>	<b>Description of Portion of Work Subcontracted</b>

Name of Bidder: \_\_\_\_\_

Acknowledgment: \_\_\_\_\_

(Sign and return with bid)

# City of San Leandro

## Downtown Steam Cleaning

**Bid 05-06.029**

**Due 3/19/06**

### SPECIAL PROVISION

I hereby affirm that the firm submitting this bid is a licensed California contractor, No. \_\_\_\_\_, expiration date \_\_\_\_\_ and the license is in full force and effect. This representation is made under the penalty of perjury. Any bid not containing this information, or a bid containing information, which is subsequently proven false, shall be considered non-responsive and shall be rejected.

Name of Bidder: \_\_\_\_\_

Acknowledgment: \_\_\_\_\_

(Sign and return with bid.)

# City of San Leandro

## Downtown Steam Cleaning

Bid 05-06.029

Due 3/19/06

### INSURANCE REQUIREMENTS

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, their agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

1. Minimum Scope of Insurance. Coverage shall be at least as broad as:
  - A. Insurance Services Office form number GL 0002 (Ed. 1/73) covering Comprehensive General Liability and Insurance Services Office form number GL 0404 covering Broad Form Comprehensive General Liability; or Insurance Services Office Commercial General Liability coverage ("occurrence" form CG 0001.)
  - B. Insurance Services Office form number CA 0001 (Ed. 1/78) covering Automobile Liability, code 1 "any auto" and endorsement CA 0025.
  - C. Worker' Compensation insurance as required by the Labor Code of the State of California and Employers Liability insurance.
2. Minimum Limits of Insurance. Contractor shall maintain limits no less than:
  - A. General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If commercial General Liability Insurance or other form with general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
  - B. Automobile liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.
  - C. Workers' Compensation and Employers Liability: Workers' compensation limits as required by the Labor Code of the State of California and Employers Liability Limits of \$1,000,000 per accident.
3. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either the insure shall reduce or eliminated such deductibles or self-insured retentions as respects the City, its officers, officials, employees, and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.



# City of San Leandro

## Downtown Steam Cleaning

**Bid 05-06.029**

**Due 3/19/06**

4. Other Insurance Provisions. The policies are to contain, or be endorsed to contain, the following provisions:

A. General Liability and Automobile Liability Coverages.

- i. The City, its officers, officials, employees and volunteers are to be covered as insureds as respects: liability arising out of activities performed by or on behalf of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of the protection afforded to the City, its officers, officials, employees or volunteers.
- ii. The Contractor's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees and volunteers. Any insurance or self -insurance maintained by the City, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
- iii. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its officers, officials, employees or volunteers.
- iv. The Contractor's insurance shall apply separately to each insured against whom claim is made or suite is brought, except with respect to the limits of the insurer's liability.

B. Workers' Compensation and Employers Liability Coverage.

The insurer shall agree to waive all rights of subrogation against the City, its officers, officials, employees and volunteers for losses arising from work performed by the Contractor for the City.

C. All Coverages.

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, returned receipt request, has been given to the City.

5. Acceptability of Insurers. Insurance is to be placed with insurers with a Best's rating of no less than A: VIII.

# City of San Leandro

## Downtown Steam Cleaning

**Bid 05-06.029**

**Due 3/19/06**

6. Verification of Coverage. Contractor shall furnish City with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.
7. Subcontractors. Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

### ADDITIONAL PROVISIONS

UNSATISFACTORY WORK. City will inspect all locations on a regular basis. Unsatisfactory work will be noted and contractor will have twenty-four hours to do proper clean-up. If the work remains unsatisfactory, the City will either perform the work using City personnel or hire another contractor to do immediate clean-up. The resultant charges will be deducted from contractor's following payment.

LITTER DISPOSAL. It is the responsibility of the contractor to dispose of litter and debris that is picked up during the course of cleaning the sidewalks. Cost for disposing of the litter shall be included in your bid amounts.

NOISE SENSITIVE AREAS. Residential neighborhoods are in close proximity to many of the sidewalk locations and it is the responsibility of the contractor to perform the required work while keeping noise to a minimum. Using the newest, quietest equipment, or utilizing muffling devices on the equipment is required to achieve this. Noise complaints will be handled by the project manager as they are received. Prompt attention to noise complaints is required.

ILLCIT DISCHARGE TO STORM DRAIN PROHIBITED. The cleaning operation shall not create or result in a discharge of any pollutants or contaminants into the stormwater collection system including streets, curb & gutters or parking lots that flow to the stormwater collection system. Alameda Countywide Clean Water Program (ACCWP) and Bay Area Stormwater Management Agencies Association (BASMAA) guide lines for the prevention of pollution from surface cleaning shall be followed at all times.

### **BASMAA CERTIFICATION REQUIRED.**

Got to <http://www.basmaa.org/recognition> for more information. See page 1.

# **City of San Leandro**

## **Downtown Steam Cleaning**

**Bid 05-06.029**

**Due 3/19/06**

DISPOSAL TO SANITARY SEWER PROHIBITED. Disposal of wash water or cleaning residuals are prohibited without approval from the City's Environmental Services Division. A permit may be required for approval. Even with a permit and approval discharge will be limited to specified legal connections. Nothing may be discharged via a manhole or direct connection to the City's collection system. Field staff should contact the Environmental Services Division at 510-577-3401 if there is any question regarding pollution prevention, the storm or sanitary sewer systems.



Alameda Countywide  
Clean Water Program  
A Consortium of Local Agencies

## Mobile Cleaners

*In response to recent Federal and State water quality regulations and requirements, municipalities in Alameda County have joined to form the Alameda Countywide Clean Water Program (ACCWP).*

**The ACCWP** consists of the Cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, Union City, Alameda County, the Alameda County Flood Control and Water Conservation District, and Zone 7 of the District.

### **The Goal of the ACCWP**

*is to control discharges of pollutants to municipal storm drain systems (and local creeks and the San Francisco Bay). The ACCWP encourages using Best Management Practices to effectively eliminate illegal discharges and connections.*

**The Storm Drain System** was built to collect and transport rain to prevent flooding in urban areas. Anything that flows or is discharged into the storm drain system goes directly into local creeks or San Francisco Bay without any treatment.

**The Sanitary Sewer System** collects and transports sanitary wastes from interior building plumbing systems to the wastewater treatment plant where the wastewater is treated.

**Best Management Practices (BMPs)** are methods and practices such as good housekeeping, spill prevention, or treatment measures to prevent or minimize pollutant discharges to municipal storm drain systems.

**Illegal Discharges or Illicit Connections** discharge non-storm water to municipal storm drain systems and contribute to water pollution.

**Urban Runoff** is rain and any other water that passes through and out of developed areas (streets, parking lots, roof tops, etc.) into the storm drain system and eventually to creeks and other waters.

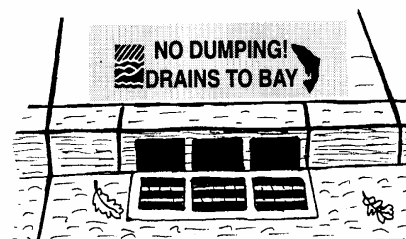
**K**eeping pollutants out of our storm drain system protects our local creeks, reservoirs, and San Francisco Bay. Materials swept, blown, or washed into the storm drains end up in these open waters where they degrade water quality and harm aquatic life. In general, washwater discharged to the storm drains is illegal. A few exceptions as described in the following table, are allowed to discharge when there are no pollutants.

In addition to reviewing their own practices, municipalities participating in the Alameda Countywide Clean Water Program (ACCWP) have instituted a business education campaign and inspection program. Inspectors work with contractors and businesses to identify and control potential discharge of pollutants to the storm drain system. *Property and business owners are responsible for their contractors' practices.*

Mobile cleaning activities generate significant quantities of washwater as a result of their washing operations at various sites. Washwater can contain dirt, debris, soap, oil, grease, acid solution, solvents, paint chips, metals, and/or food waste. Washwater discharged to the storm drain system contributes to urban runoff pollution. Even "biodegradable" cleaning agents may cause immediate damage to aquatic ecosystems.

All contractors and individuals who perform cleaning operations can apply common sense practices to minimize or eliminate their contribution to stormwater pollution. Some such practices are identified on the following pages.

If you need additional information concerning stormwater pollution and its prevention, contact your local program representatives at **1-888-BAY-WISE**.



## Best Management Practices for Surface Cleaning Activities (1)

The goal: "Only rain in the storm drain."

The strategy: Keep pollutants from 1) contacting rain and; 2) being dumped, blown, swept, washed, or poured into storm drains.

Category/Activity	Washing or Washwater Conditions	Discharge Options			Best Management Practices (In Order of Preference)
		Storm Drains	Sanitary Sewer (2)	Landscaping/ Dirt Area (3)	
<b>Sidewalks and Plazas</b>	Using Soap, no oil deposits	NO	YES	See notes 3 and 5	Sweep, collect and dispose of debris; direct discharge to sewer.
	No soap or oil deposits	YES	YES	See note 3	Sweep, collect and dispose of debris; may flow to storm drains.
<u>Sidewalks, Plazas, Driveways, Drive-Through Window Areas</u>	No soap, light oil, frequently cleaned	No	YES	See note 3	Sweep, collect and dispose of debris; dry clean oil spots, dispose of absorbent in trash; place oil-absorbent boom around storm drain.
<u>Drive-Throughs, Drive-ways, Parking Garages, Service Stations</u>	With or without soap; excess oil deposits; <u>not frequently cleaned</u>	NO	YES	NO	Seal storm drains; sweep, collect and dispose of debris; dry clean oil spots, dispose of absorbent legally; discharge washwater to sanitary sewer, via oil/ water separator if possible. Discuss with site operator and wastewater agency.
<u>Building Exteriors and Walls</u>	Glass and steel buildings, no soap	YES	YES	See note 3	<b>Best:</b> direct washwater to dirt area. <u>2<sup>nd</sup>:</u> direct flow to storm drain; protect drain with fabric filter if possible.
	Painted buildings (known to be lead free), no soap	YES	YES	See note 3	<b>Best:</b> direct washwater to dirt area. <u>2<sup>nd</sup>:</u> protect drain with fabric filter to keep paint particles out of storm drain.
	Painted buildings with lead-based or mercury-additive paint, including cleaning for paint removal	NO	NO	NO	Seal storm drains and pump wash-water to a tank; water and sludge may need to be disposed of as hazardous waste. Consult with wastewater agency, County Health and Fire Department.
<b>Graffiti Removal</b>	Using wet sand blasting (with no baking soda)	YES	YES	See notes 3 and 5	Minimize quantity of water used. <b>Best:</b> direct washwater to dirt area. <u>2<sup>nd</sup>:</u> filter through boom to keep sand out of storm drain or sewer.
	Using high pressure washing and cleaning compound	NO	YES	See notes 4 and 5	<b>Best:</b> seal storm drains; discharge washwater to sanitary sewer. Discuss with site operator and wastewater agency. <u>2<sup>nd</sup>:</u> direct washwater to dirt area.
<u>Masonry Efflorescence</u>	Using acid wash to remove mineral deposits	NO	YES	See note 5	Seal/block storm drains. Collect washwater, neutralize to pH 6 to 10, discharge to sanitary sewer.

Area	Wastewater Agency
Cities of Alameda, Albany, Berkeley, Emeryville, Oakland, or Piedmont	East Bay Municipal Utility District (EBMUD): 510/287-1651
Cities of Dublin or Pleasanton	Dublin-San Ramon Services District: 925/846-4565
Cities of Fremont, Newark, or Union City	Union Sanitary District: 510/477-7500
City of Hayward	510/881-7900
City of Livermore	925/373-5230
Communities of San Lorenzo, Castro Valley, unincorporated San Leandro and Hayward	Oro Loma Sanitary District: 510/276-4700
City of San Leandro	510/ 577-3401

**(1) BMPs do not apply if there has been an oil or other hazardous material spill on the site. In the case of a spill, contact the local fire department for guidance.**

**(2) “Discharge to sanitary sewer” means discharge into sink, toilet, or sanitary system cleanout. Approval of the wastewater agency is needed and may require compliance with local regulations or limits; initial sampling; installation of pre-treatment equipment; payment of connection fee; and/or obtaining a wastewater discharge permit.**

(3) This option applies to minimal discharge flows only. Repetitive use or excessive waste volume to the same area may contribute to soil contamination. Washwater may adversely affect landscaping; discuss with building owner.

(4) Washwater with cleaning compound may adversely affect landscaping; discuss with building owner.

(5) If landscaped area contains a drainage system, discharge to landscaping may not be an acceptable option. Please contact your local clean water program.

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On December 23, 2016, I served the:

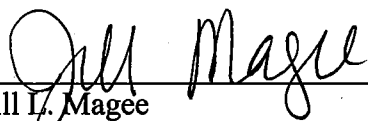
**CRWQCB Response to the Request for Additional Evidence and Briefing and Request for Extension and Postponement; and Notice of Postponement Approval and Extension Request Partial Approval**

*California Regional Water Quality Control Board, San Francisco Bay Region,  
Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c, C.8.d,  
C.8.e.i, ii and iv, C.8.f, C.8.g, C.10.a.i, ii, and iii, C.10.b, C.10.c, C.10.d, C.11.f, and  
C.12.f, 10-TC-01, 10-TC-02, 10-TC-03, and 10-TC-05*

Cities of Alameda, Brisbane, and San Jose, and County of Santa Clara, Claimants

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on December 23, 2016 at Sacramento, California.

  
\_\_\_\_\_  
Jill L. Magee  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 12/2/16

**Claim Number:** 10-TC-01, 10-TC-02, 10-TC-03, and 10-TC-05

**Matter:** California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c, C.8.d, C.8.e.i, ii, and iv, C.8.f, C.8.g, C.10.a.i, ii, iii, C.10.b, C.10.c, C.10.d, C.11.f, and C.12.f

**Claimant:** Cities of Alameda, Brisbane, and San Jose, and County of Santa Clara

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

**Marni Ajello**, *State Water Resources Control Board*

Office of Chief Counsel, 1001 I Street, 22nd Floor, Sacramento, CA 95814

Phone: (916) 327-4439

marnie.ajello@waterboards.ca.gov

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Phone: (510) 981-6394

dakagi@ci.berkeley.ca.us

**Nicole Almaguer**, *City of Albany*

1000 San Pablo Avenue, Albany, CA 94706

Phone: (510) 528-5754

nalmaguer@albanyca.org

**Leticia Alvarez**, *City of Belmont*

One Twin Pines Lane, Suite 385, Belmont, CA 94002

Phone: (650) 595-7469

lalvarez@belmont.gov

**Socorro Aquino**, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

**Tamarin Austin**, *State Water Resources Control Board*

Office of Chief Counsel, 1001 I Street, 22nd Floor, Sacramento, CA 95814



Phone: (916) 341-5171  
Tamarin.Austin@waterboards.ca.gov

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jbakker@meyersnave.com

**Harmeet Barkschat**, *Mandate Resource Services, LLC*  
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harmeet@calsdrc.com

**Jim Barse**, *City of Alameda*  
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jbarse@alamedaca.gov

**Robert Bauman**, *City of Hayward*  
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Phone: (510) 583-4710  
Robert.Bauman@hayward-ca.gov

**Lacey Baysinger**, *State Controller's Office*  
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816  
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lbaysinger@sco.ca.gov

**Shanda Beltran**, General Counsel, *Building Industry Legal Defense Foundation*  
Building Association of Southern California, 17744 Sky Park Circle, Suite 170, Irvine, CA 92614  
Phone: (949) 553-9500  
sbeltran@biasc.org

**David Benoun**, City Attorney, *City of Newark*  
37101 Newark Boulevard, Newark, CA 94560  
Phone: (510) 578-4427  
david.benoun@newark.org

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