

*City of Los Angeles*  
*Sewer System Management Plan (SSMP)*

## **Attachment G3**

**Industrial Waste  
Enforcement Response Plan and Enforcement Response Guide**

## Document Control Page

### Industrial Waste Management Division Enforcement Response Plan and Enforcement Response Guide

Review Frequency: As needed

Prepared/Revised/Reviewed		Description of Changes	Approved	
Date	By		Date	By
Oct. 1991	T. Minamide	First ERP/ERG Documents	Oct. 1991	T. Minamide
Jul. 1992	T. Minamide	Revised Enforcement Response Plan: <u>Added</u> : Item 2.1.4. "Short Term IU Permits" to Section 2.1 - Enforcement Actions".	Jul. 1992	T. Minamide
Dec. 1992	T. Minamide	Revised Enforcement Exhibits/Templates <u>Added</u> : requirement for Pollution Prevention Plan; Show Cause Permit Revocation Statement; Cease & Desist and Compliance Order templates for NC-SIU and LIU; SIU Group and IU flow. <u>Removed</u> : requirement that Engineering Plans be approved.	Dec. 1992	T. Minamide
Jun. 1993	R. Aflaki G. Matevossian	Expanded Engineering Plan submittal requirements; Changed compliance deadlines in Draft Compliance Orders.	Jun. 1993	T. Minamide
Feb. 1994	R. Aflaki G. Matevossian	Updated ERP Documents: <u>Changed</u> : Division Name from "Enforcement Division" to "Industrial Waste Management Division"; Title "Non-SIU" to "Local Industrial User" (LIU); References to LAMC from Section 64.30.E to Section 64.30.E.4 and from Section 64.30 to Section 64.30.D.9 in all Cease and Desist and Compliance Orders; <u>Added</u> : new item to show "Permits Renewal or Amendment" dates under "FACTS" in all Administrative Orders; <u>Changed</u> : Prenotification Group name for self-monitoring from "City-Wide Monitoring Group" to "SIU Inspection Group".	Feb. 1994	T. Minamide
Apr. 1995	R. Aflaki G. Matevossian	<u>Added</u> : New Cease and Desist Order Templates for Reporting/SMR violations; New Cover Letter for "Issuance of Final Consent Order"; "IU Number" added to all cover letters and Administrative Orders; <u>Changed</u> : requirement for submittal of Self-Monitoring Reports from "Staff Engineer" to "Data Management Squad" for SIUs and NC-SIUs.	Apr. 1995	T. Minamide

Nov. 1995	R. Aflaki G. Matevossian	<u>Updated</u> : references to NC-SIU and LIU classifications and SIU Group under "FACTS" in all Administrative Orders; <u>Changed</u> : SIU Inspection Group telephone number from (213) 485-9368 to (213) 485-5874 in all Administrative Orders.	Nov. 1995	L. Ayers
Apr. 1997	R. Aflaki G. Matevossian	<u>Changed</u> : Bureau of Sanitation Director Name from "Delwin A. Biagi" to "Drew B. Sones" in all Administrative Order cover letters; <u>Removed</u> : "Receipt for Hand Delivered Orders" form "Exhibit 6" – Permit Suspension Order Documents – and listed under "New Exhibit 9", added to ERP Documents .	Apr. 1997	L. Ayers
Sep. 1997	R. Aflaki G. Matevossian	<u>Changed</u> : Bureau of Sanitation Director Name from "Drew B Sones" to "Judith A. Wilson" in all ERP documents.	Sep. 1997	L. Ayers
Jul. 1999	R. Aflaki G. Matevossian	<u>Changed</u> : Division Manager Name from "Vincent J. Varsh" to "Traci J. Minamide"; <u>Changed</u> : CC of all Administrative Orders from "Sr. I.W. Inspector, City-Wide Group & Sr. I.W. Inspector, Inspection Group" to "Bellete Yohannes, Chief Industrial Waste Inspector II".	Jul. 1999	L. Ayers
Jan. 2001	R. Aflaki G. Matevossian	<u>Added Two New Cease and Desist Orders</u> to ERP documents: "Illegal Harmful Discharge without an I.W. Permit" and "Illegal No-Harm Discharge without an I.W. Permit"; <u>Changed</u> : Titles of "Cease and Desist Violations Order" to "Cease and Desist Order"; <u>Updated</u> : Consent Order Templates; <u>Changed</u> : Pollution Prevention Plan submittal & implementation schedule; <u>Updated</u> : references to LAMC from Section 64.30.D.9 to Section 64.30.D.11; <u>Changed</u> : SMR submittal from "Data Management Squad" to "Information System Support Squad"; <u>Changed</u> : Title of "Sample Violations" to "Discharge Limit Violations" in all Administrative Orders; <u>Updated</u> : Section 3 of the Enforcement Response Guide and related tables.	Jan. 2001	L. Ayers
Oct. 2001	G. Matevossian	<u>Changed</u> : Division Manager name from "Traci J. Minamide" to "Timeyin Dafeta".	Oct. 2001	L. Ayers
Dec. 2002	G. Matevossian	<u>Updated</u> ERP Documents: <u>Changed</u> : IWMD headquarters address from "4590 Colorado Blvd. Los Angeles, CA 90039" to "2714 Media Center Drive, Los Angeles, CA 90065";	Dec. 2002	L. Ayers

		<u>Changed</u> IWMD Phone and Fax numbers to (323) 342-6200 and (323) 342-6111; <u>Changed</u> : references to LAMC from Section 64.30.D.11 to Section 64.30.D.13; <u>Added</u> : two new items 3.2.7 (IU I.W. Permit Status) and 3.2.8 (IU Discharging w/o an I.W. Permit) to Section 3 - Enforcement Response Guide.		
Jul. 2004	G. Matevossian	<u>Changed</u> : Bureau of Sanitation Director name from "Judith A. Wilson" to "Rita L. Robinson".	Jul. 2004	L. Ayers
May 2006	G. Matevossian	<u>Added</u> : two new Templates to Section 8-Permit Revocation Documents – "Notice of Show Cause Permit Revocation Hearing" and "Notice of Permit Revocation"; <u>Changed</u> : Cease & Desist Order Titles, Administrative Orders Flow Sheets; and <u>Updated</u> : List of ERP Exhibits.	May 2006	L. Ayers
Feb. 2007	G. Matevossian	No Changes	N/A	N/A
Mar 2008	G. Matevossian	No Changes	N/A	N/A
Mar 2009	G. Matevossian	No Changes	N/A	N/A
Jul. 2010	G. Matevossian	<u>Revised</u> : Signature block with "Generic Name and Title" in all enforcement templates.	Jul. 2010	L. Ayers
March 2015	L. Ayers	Include BMP language on pages 2-5 and 3-9	March 2015	L. Ayers
September 2015	L. Ayers	Revise ERG to remove "15" and replace with "up to" on page 3-14	September 2015	L. Ayers
August 2017	N. Tolentino D. Patel	Revised all templates referencing amendments to be consistent with changes to 40 CFR 403 and LAMC 64.30	August 2017	L. Ayers



CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION  
INDUSTRIAL WASTE MANAGEMENT DIVISION

**ENFORCEMENT RESPONSE PLAN**  
**AND**  
**ENFORCEMENT RESPONSE GUIDE**

*REVISED AUGUST 2017*

# ENFORCEMENT RESPONSE PLAN

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## LIST OF EXHIBITS

Exhibit 1	-	Warning Notices
Exhibit 2	-	Notice of Violation
Exhibit 3	-	Cease and Desist Order Documents
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Exhibit 8	-	Permit Revocation Documents
Exhibit 9	-	Receipt for Hand Delivered Orders

# SECTION

# 1

## INDUSTRIAL WASTEWATER PRETREATMENT ENFORCEMENT PROGRAM

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### 1.1 INTRODUCTION

The City of Los Angeles (City), Department of Public Works, Bureau of Sanitation is designated with the responsibility for the operation and maintenance of four (4) Publicly Owned Treatment Works (POTW), treating a combined flow of approximately 500 million gallons per day. Included in this responsibility is the task of maintaining compliance with each POTW's National Pollutant Discharge Elimination System (NPDES) permit and respective effluent discharge standards. The City is further charged with the responsibility to regulate industrial waste discharges into the sanitary sewer system from the varied industrial and manufacturing operations located throughout the City.

To accomplish this entire task, The Bureau of Sanitation, Industrial Waste Management Division (IWMD) administers the Federal Pretreatment Program to regulate Industrial User (IU) compliance with local and federal industrial wastewater discharge standards. This task includes extensive permitting, monitoring, inspection, and enforcement activities. The elements of this Enforcement Response Plan (ERP) and Enforcement Response Guide (ERG) and the procedures contained herein, focus on the enforcement of pretreatment regulations, discharge standards and specific responses enlisted in the event violations occur.

## 1.2 ENFORCEMENT ACTIONS

The enforcement procedures described in this document use established criteria and other considerations for responding to violations of pretreatment regulations and discharge standards in a consistent and timely manner, as appropriate. In addition, the procedures provide a range of enforcement responses with the objectives of 1) regulating IUs to achieve and maintain consistent compliance; 2) subjecting repeat offenders to escalated enforcement actions in a timely manner; and 3) initiating the process at higher levels of enforcement for those IUs that have been subjected to enforcement proceedings and that are still unable to maintain full and permanent compliance over the long term.

In general, the City's enforcement program allows for a progressive enforcement approach. However, it is also intended to be flexible and thus provide the ability to use discretion on a case-by-case basis depending on the nature and circumstances of non-compliance as well as available resources. Enforcement determinations may be complicated fact-specific decisions based entirely on experience and professional judgement.

The Bureau of Sanitation, Industrial Waste Management Division (IWMD) utilizes several types of escalated enforcement actions from the enforcement response plan which can range from telephone contacts, notices of violation, and administrative orders, to suspension of discharge privileges, permit revocation, water or utility service termination, and/or City Attorney referral for filing of civil/criminal charges. Specific elements of the City's enforcement program and descriptions of the various enforcement responses which may be enlisted are addressed in Section 2. Discussion of the ERP and ERG, however, should be prefaced with the understanding that these procedures were developed for internal use by City staff and should not be construed as legally binding in any manner.

# SECTION

## 2

### ENFORCEMENT RESPONSE PLAN

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Federal regulations require an ERP to identify the types of escalating enforcement actions the POTW will take in response to all anticipated types of IU violations and the time periods within which responses to violations will take place. Although a Control Authority may be able to anticipate the types of IU pretreatment violations which may occur, it cannot anticipate the full range of underlying causes of IU noncompliance. While a standard violation follow-up procedure may be necessary to respond to specific instances of noncompliance in a timely, uniform, and progressive manner, the varied scenarios of noncompliance which present themselves require maximum flexibility and the use of alternative enforcement responses such that consistent compliance can be achieved and maintained in a manner that is both conducive to the IU and efficient for the pretreatment program.

The City's enforcement program consists of a number of actions that allow an enforcement response to be tailored to the specific IU and its state of noncompliance. The following section describes in detail each of these enforcement responses. These actions allow for noncompliance to be addressed in a progressive manner, and for purposes of exemplifying a process, can be described as moving consecutively from one step to another. However as mentioned previously, the ERP was also developed to incorporate flexibility and is not intended to restrict the ability of the Control Authority from exercising professional judgment in choosing an enforcement response.

Figures and Exhibits to this ERP set forth example processes and enforcement document language pertaining to specific enforcement responses. The Figures and Exhibits are included solely as examples -- they are not to be interpreted as limiting the discretion of the Control Authority to utilize any other process or document language it deems appropriate.

## 2.1 ENFORCEMENT ACTIONS

The City's Enforcement Actions are designed to address various types of violations. The following is a list of Enforcement Actions.

- Telephone Contacts or Verbal Notification
- Warning Notices
- Increased Monitoring and Inspection
- Short Term IU Permits
- Notices of Violation
- Compliance Meetings
- Administrative Orders
  - Cease and Desist Order
  - Consent Order
  - Compliance Order
  - Permit Suspension Order
  - Imminent Hazard Suspension Order
- Permit Revocation
- Termination of Sewer Service
- Termination of Water Service
- Publication of Significant Noncompliant IUs
- Recovery of City Incurred Costs
- Administrative Complaint/ Civil Penalties
- Civil Filing
- Criminal Prosecution
- Referral to EPA or State
- No Action Response

These actions are described in detail in the following paragraphs.



### **2.1.1 Telephone Contacts or Verbal Notification**

A telephone call or verbal notification to an IU official (e.g. plant manager or environmental coordinator) may be used to address violations, usually of a minor nature. The telephone call could serve to notify the IU that the City is concerned about the violation, to obtain an explanation, and to suggest that subsequent violations of the same type may be dealt with more severely. All phone contacts or verbal notification should be documented in the IU's file.

### **2.1.2 Warning Notices**

Warning Notices, similar to a telephone contact, may be used to address violations, usually of a minor nature. The notice serves to notify the IU that the City is concerned about a violation. A Warning Notice may be utilized, for example, in cases where an IU has not reapplied for a permit which will soon expire, if an IU has a minor violation after an enforcement case has been closed, or if an IU has not submitted information or completed requirements as specified in special permit conditions. Examples of Warning Notices are provided in Exhibit 1.

### **2.1.3 Increased Monitoring and Inspection**

Increased monitoring and inspection beyond the minimum required by applicable federal and/or state pretreatment regulations may be used as a means to address discharge or other IU violations. Pretreatment regulations require SIUs to be monitored and inspected by a POTW once a year and SIUs to submit periodic compliance reports twice a year. The increased surveillance of an IU through increased POTW or IU monitoring, or POTW inspection beyond the minimum requirements may provide a powerful incentive for the IU to return to compliance. As the City deems appropriate, the IU could be required to undertake increased

self-monitoring or monitoring can be performed by the City. If undertaken by the City, costs of increased monitoring may be charged to the IU. Given the significant expense involved in monitoring, the increased costs to the IU would serve to deter future violations.

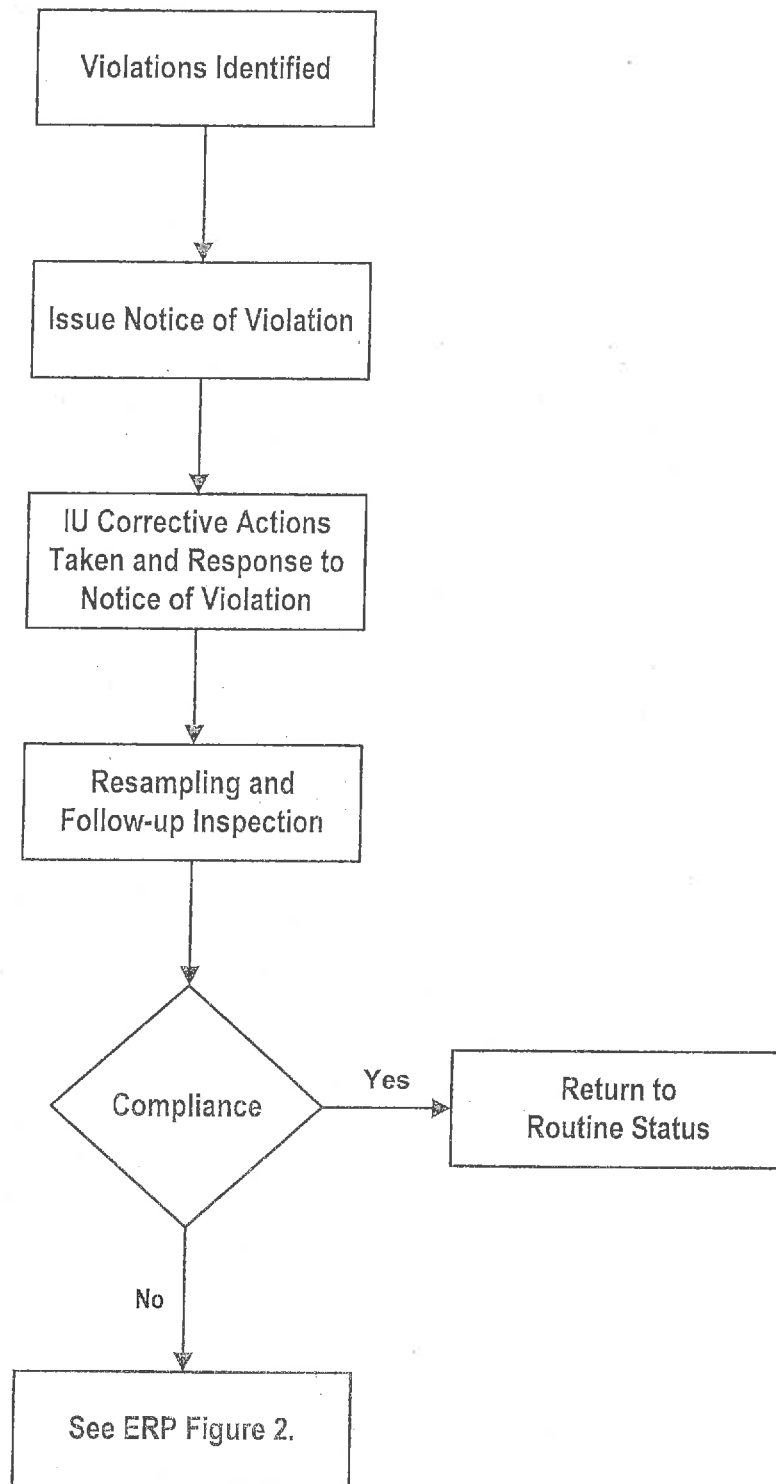
#### **2.1.4 Short Term IU Permits**

Federal regulations provide that SIU permits can be issued for a duration of five years. Permits of shorter duration, however, may provide the Control Authority with additional leverage to foster IU compliance. The IU permit renewal process provides an opportunity to evaluate an IU's treatment and compliance status. Similarly, revocation and reissuance of existing SIU permits may provide a means to bring about IU compliance.

#### **2.1.5 Notices of Violation**

After identification of a violation, the noncompliant (IU) may be issued a Notice of Violation (NOV) either by certified mail or personal service. Exhibit 2 contains a sample NOV. An example of the NOV process is shown in ERP Figure 1.

The NOV identifies the pretreatment standard, Best Management Practice or other permit condition violated, the circumstances surrounding the violation, and provides the IU with an opportunity to correct the noncompliance on its own initiative. The IU is required to investigate the violation and submit a written response describing the cause of violation, corrective actions taken or to be taken to prevent recurring violations, and the date those corrective actions will be complete.



ERP Figure 1. Notice of Violation Process

A violation follow-up inspection/ sampling may be conducted after the issuance of the NOV to confirm that the corrective actions taken were successful in achieving a return to compliance. NOVs will be issued in cases where violations occur when an industry is under an administrative order. These notices serve to formally document instances of noncompliance and may justify further escalation of enforcement action.

### **2.1.6 Compliance Meetings**

Compliance Meetings are conducted by IWMD staff and are intended to allow the IU an opportunity to explain its noncompliance and present a proposed plan of corrective actions to achieve full and permanent and consistent compliance. A noncompliant IU may be required to attend such a meeting to discuss Administrative Orders and its plan for corrective actions. The Compliance Meeting is also an excellent forum for establishing the terms and conditions of the Administrative Order.

### **2.1.7 Administrative Orders**

The City utilizes Administrative Orders (AO) as a formal response to address non-compliance. There are five types of orders utilized: 1) Cease and Desist Order; 2) Consent Order; 3) Compliance Order; 4) Permit Suspension Order; and 5) Imminent Hazard Permit Suspension Order. Each of these orders specify a set period of time for which the IU must implement corrective actions such as system modifications or equipment installation. Often times, an IU is also required to perform additional self-monitoring. The following sections describe each type of Administrative Order.

### **2.1.7.1 Cease and Desist Order**

In general, a Cease and Desist Order requires the IU to cease a specific activity (i.e. illegal discharge, discharge without a Permit, or operating in non-compliance with Industrial Wastewater Permit requirements) and implement corrective actions to achieve and maintain permanent compliance. A Cease and Desist Order may be issued in instances when an IU fails to achieve compliance after the issuance of a Notice of Violation or when a pattern of violations is observed. Example of Cease and Desist Orders are provided in Exhibit 3. IWMD issues several Cease and Desist Orders to address specific discharge and non-discharge violations. Specific Cease and Desist Orders may include:

(i) Cease and Desist Violations Order - for Discharge Violations

A Cease and Desist Violations Order may be issued to the IU for the discharge of industrial wastewater that contains pollutants exceeding LAMC discharge standards, Federal Categorical discharge standards and/or hazardous and health and safety limitations set by State regulators (Title 22, California Code of Regulations). The Cease and Desist Violations Order for discharge violations is issued to address situations where an IU can implement corrective actions and achieve permanent compliance in a relatively short time frame (e.g., 30 days). The IU may also be required to conduct additional self-monitoring. These ordered activities are intended to assist both the IU and IWMD in assessing the IU's true compliance status and pretreatment/waste management capabilities. Refer to ERP figure 2 for the example Cease and Desist Violations Order process flow diagram.

Depending on the magnitude of the violation(s) that caused the Cease and Desist Order to be issued, the IU may be required to attend a compliance meeting to discuss the cause of violation and a present proposal of corrective actions to be taken.

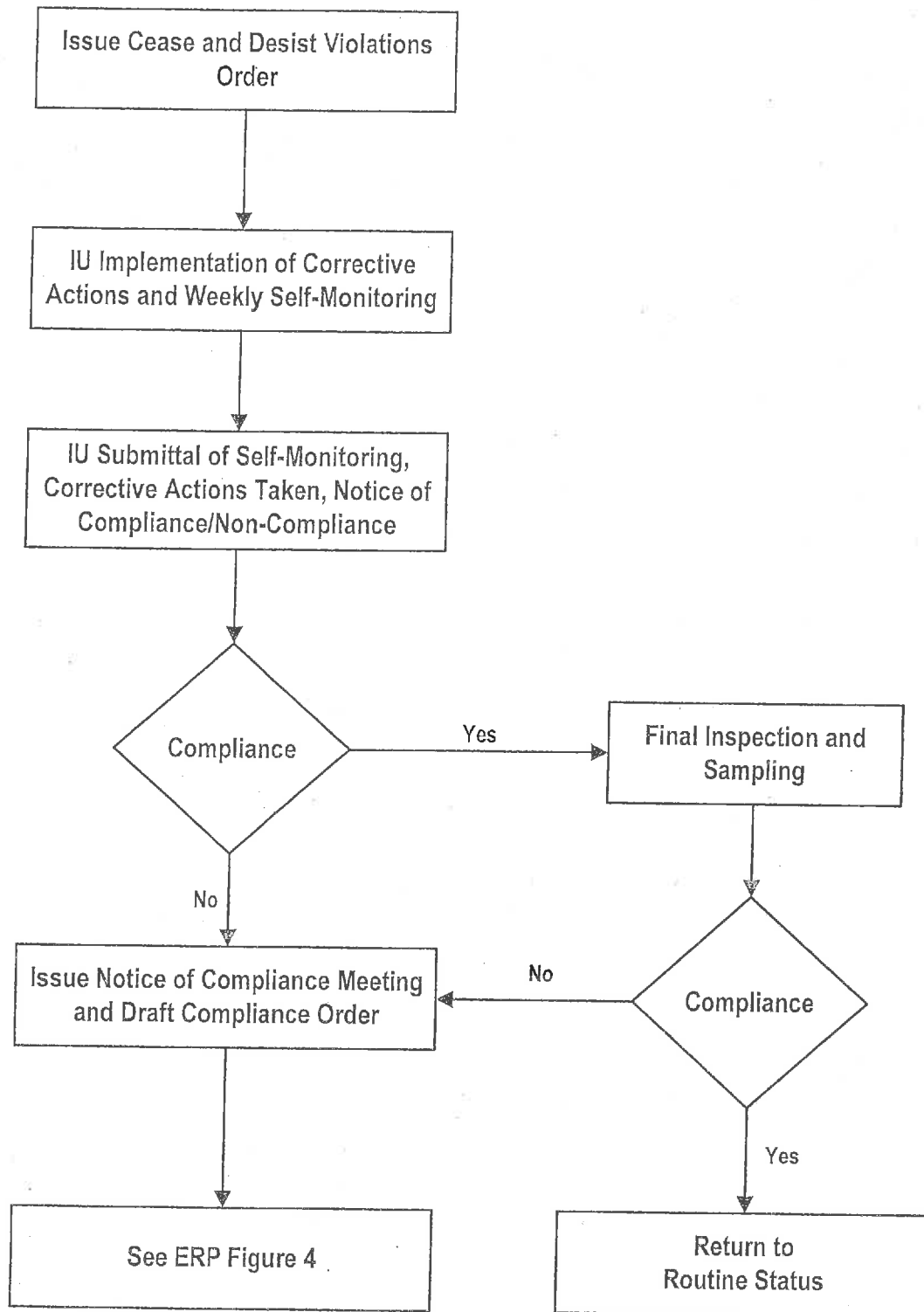
After completion of the ordered activities, the IU's compliance status is re-evaluated. The results of the self-monitoring and the corrective actions taken may indicate that compliance has been achieved; however, a final inspection and close-out monitoring may be conducted by IWMD staff to verify compliance independent of data submitted by the IU. If either the self-monitoring or POTW data indicate that violations occurred, or show the corrective actions to be ineffective, then escalated enforcement actions may be warranted. These actions may include, but not limited to conducting a Compliance Meeting and/or issuing a Compliance Order.

(ii) Cease and Desist Violations Order - for Reporting Violations

A Cease and Desist Violations Order may be issued to an IU who has failed to conduct the periodic self-monitoring within the monitoring period as required by the Industrial Wastewater Permit. A Cease and Desist Violations Order may also be issued when an IU exceeds by more than thirty (30) days, the final deadline for submittal of the self-monitoring report or other report, criteria established for significant non-compliance (SNC). The Cease and Desist Violations Order may require the IU to conduct additional make-up self-monitoring within the specified period.

(iii) Cease and Desist Discharge Order - for Illegal Discharge

A Cease and Desist Discharge Order may be issued to the IU for the illegal discharge of harmful industrial/process wastewater to the City's sewer system without an Industrial Wastewater Permit or with an expired Industrial Wastewater Permit. The IU may have been served with a Notice of Violation and an application for Industrial Wastewater Permit, and have failed to submit the application by the deadline while continuing to discharge industrial wastewater to the City Sewer System.



ERP Figure 2. Cease and Desist Violations Order Process  
(for Discharge Violations)

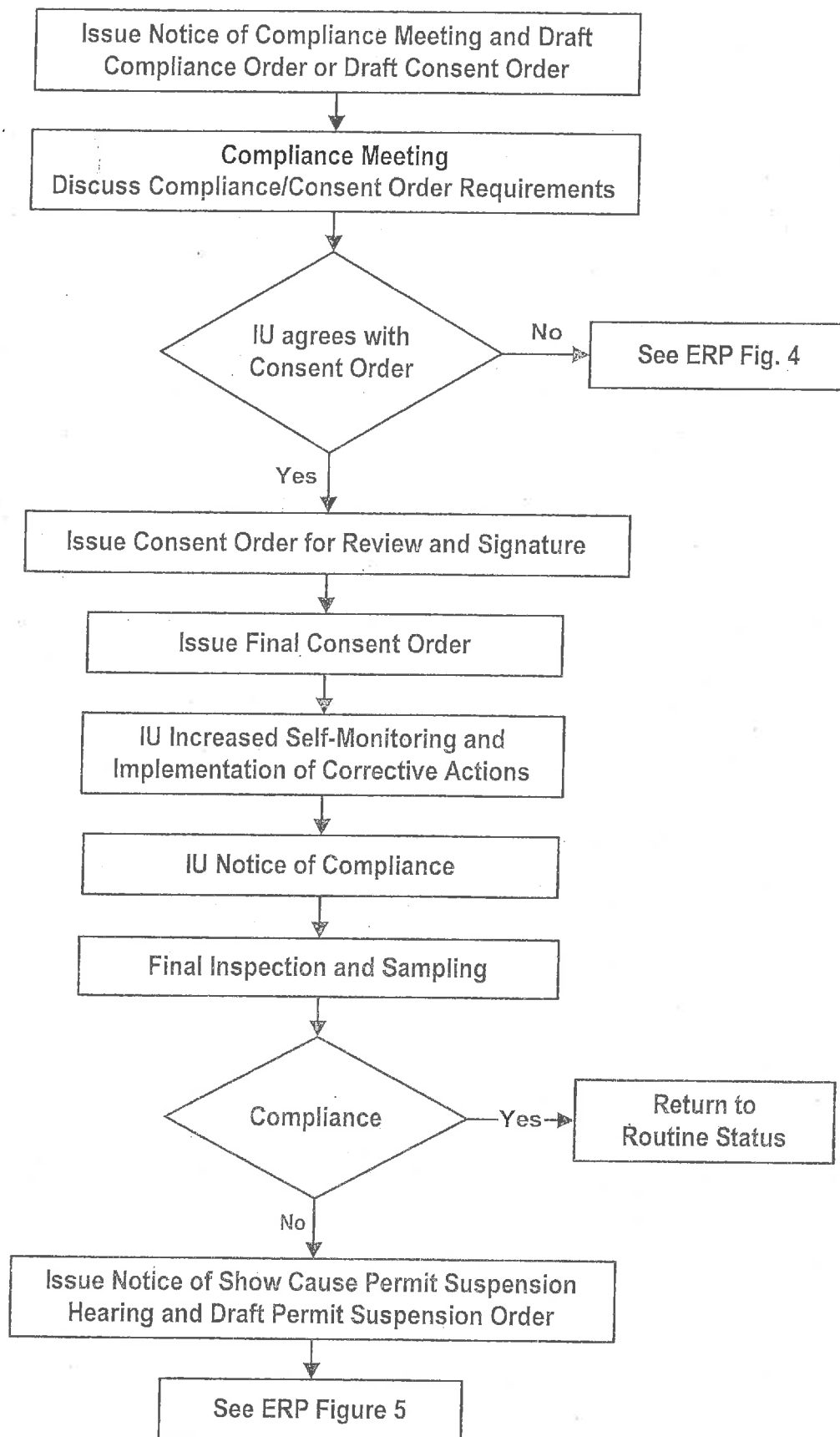
### **2.1.7.2 Consent Order**

The Consent Order is an agreement between the City and IU regarding implementation of corrective action or pretreatment equipment installation to achieve full and permanent compliance by a specified date. This document requires signatures of both IWMD and IU management and signifies the IU's display of good faith. The Consent Order may be appropriate when the IU assumes responsibility for its noncompliance and is willing to correct its cause(s) of violations to minimize the potential of escalated enforcement action being taken. A Consent Order may also include a detailed compliance schedule and/or require IU to perform additional self-monitoring.

The terms and conditions of a Consent Order are discussed with the IU during a Compliance Meeting. In addition to discussing proposed corrective actions and establishing a final date for achieving full and permanent compliance, the IU may be required to achieve interim compliance, through implementation of intermediate measures such as batch treatment, storage, or legal hauling and disposal of waste generated throughout the compliance period. ERP Figure 3 depicts an example flow diagram of this process. An example of a Consent Order is included in Exhibit 4.

After the completion of the ordered activities, the IU's compliance status is re-evaluated. The results of the self-monitoring and the corrective actions taken may indicate that compliance has been achieved; however, a final inspection and close-out monitoring is conducted by IWMD staff to verify compliance independent of data submitted by the IU. If either the self-monitoring or POTW data indicate that violations occurred, or show the corrective actions to be ineffective, then escalated enforcement action may be warranted. These actions may include issuance of a draft Permit Suspension Order and conducting a Show Cause Permit Suspension Hearing.





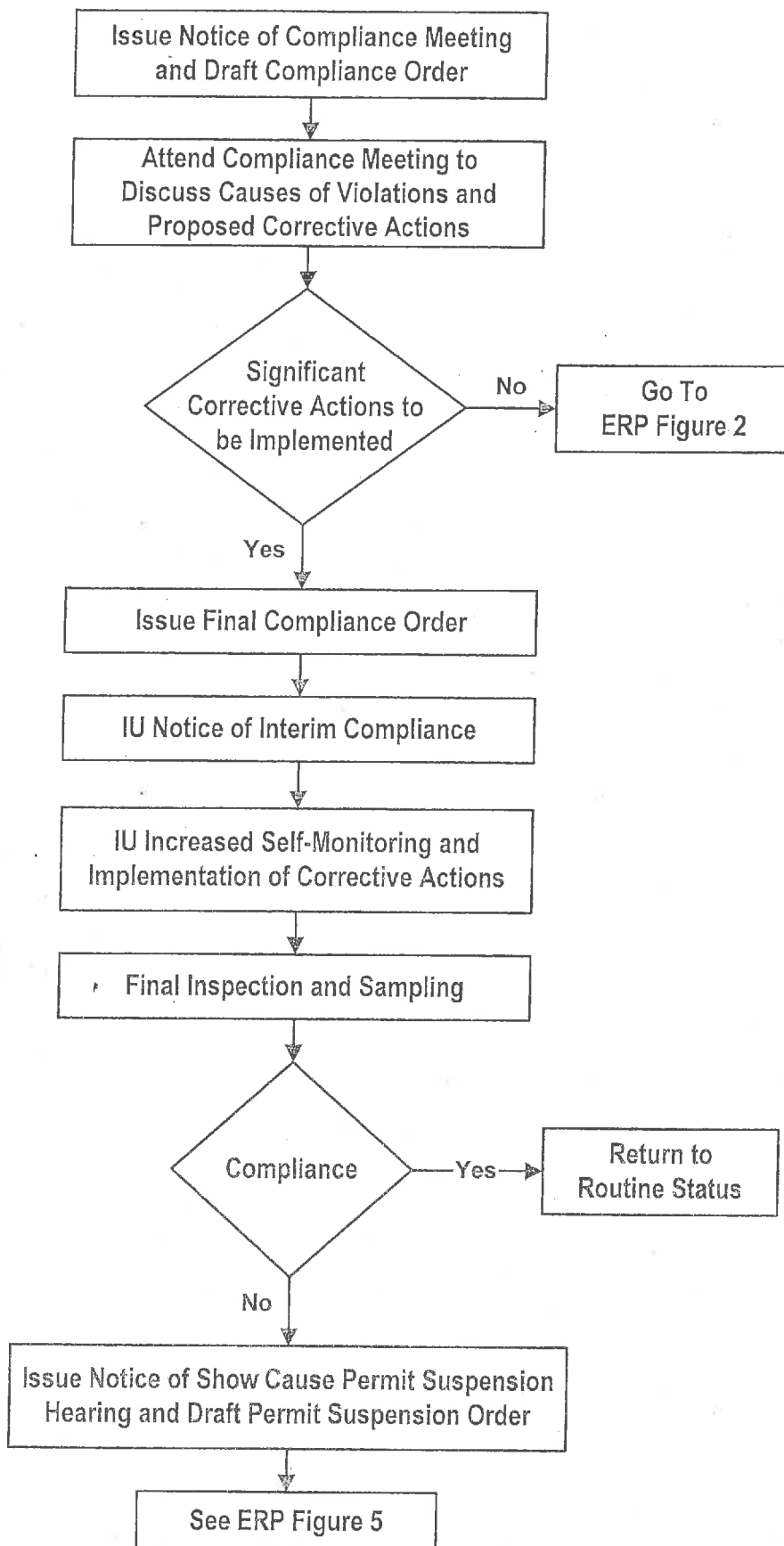
ERP Figure 3. Consent Order Process

### 2.1.7.3 Compliance Order

A Compliance Order may be issued to an IU that is not in compliance with the requirements of an Industrial Wastewater Permit or an IU that failed to comply with Cease and Desist Order requirements. A Compliance Order directs a non-compliant IU to achieve full and permanent compliance through the implementation of corrective actions. Unlike a Cease and Desist Order, the corrective actions required under a Compliance Order usually involve significant construction, repairs, or process changes. The IU is required to implement corrective actions and return to full and permanent compliance according to a compliance schedule that is part of the Compliance Order. The compliance schedule typically spans ninety (90) days. However, the final compliance schedule will be established on a case by case basis and agreed upon based on the extent of corrective actions and/or appropriate time needed for the IU to complete the plans of corrective actions. An example of the Compliance Order process is shown in ERP Figure 4.

The terms and conditions of a Compliance Order are discussed with the IU during a Compliance Meeting. The meeting gives the IU the opportunity to discuss the cause of the violations and propose corrective actions to be taken to achieve full and permanent compliance. Also, a Compliance Schedule is established which sets milestones to achieve interim compliance, perform additional self-monitoring, submit documents and achieve permanent compliance. An example of a Compliance Order is included in Exhibit 5.

After the completion of the ordered activities, the IU's compliance status is re-evaluated. The results of the self-monitoring and the corrective actions taken may indicate that compliance has been achieved; however, a final inspection and close-out monitoring is conducted by IWMD staff to verify compliance independent of data submitted by the IU. If either self-monitoring or POTW data indicate that violations occurred, or show corrective actions to be ineffective, then escalated enforcement actions may be warranted. These actions may include conducting a Show Cause Permit Suspension Hearing.



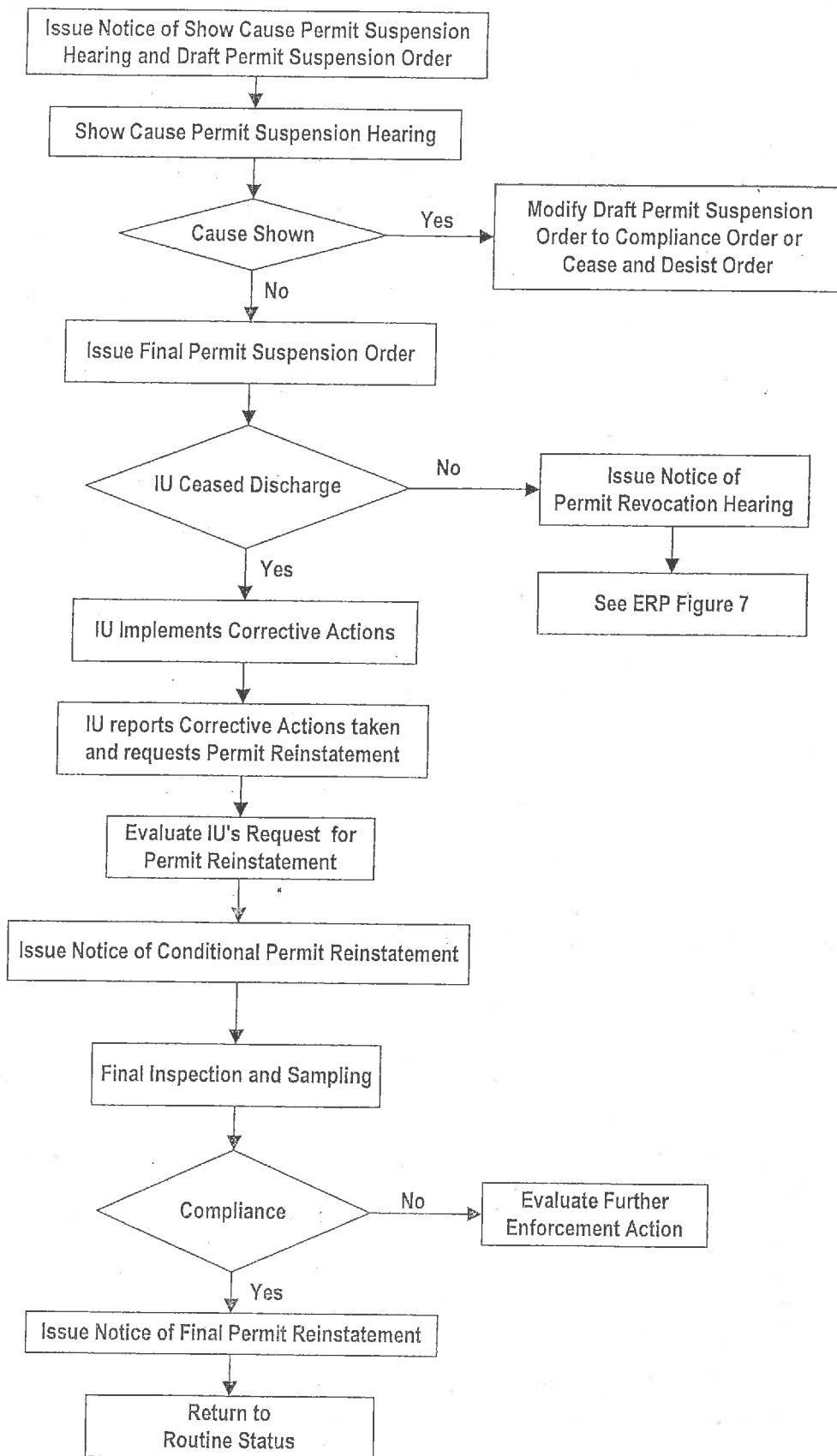
ERP Figure 4. Compliance Order Process

## **2.1.7.4 Permit Suspension Order**

In cases where an IU fails to come into compliance under a Compliance Order or is not in compliance with conditions contained in the Industrial Wastewater Permit, the IU may be issued a Notice of Show Cause Permit Suspension Hearing and a draft Permit Suspension Order. Refer to ERP Figure 5 for an example of the Permit Suspension Order process. The notice normally requires that the IU attend a meeting with IWMD staff in which the IU would be provided with an opportunity to show cause why its permit should not be suspended and propose any additional corrective actions. After hearing the IU's case, a determination would be made whether to issue the final Permit Suspension Order. If the IU shows sufficient cause not to suspend the permit, the original Compliance Order may be modified to address additional proposed actions, or a final inspection and sampling can be performed if the IU has completed all corrective actions prior to, or immediately following, the Show Cause Permit Suspension Hearing.

Once a Permit Suspension Order is issued as final, the IU is normally required to submit a notice stating that discharge to the sewer system has ceased. In order for the suspension to be lifted, the IU will be required to submit a Notice of Compliance and a report describing additional corrective actions taken. After satisfactory evaluation by IWMD staff, the IU may be issued a Notice of Conditional Permit Reinstatement. A final inspection and sampling, as appropriate, can then be conducted. A Notice of Final Permit Reinstatement may be withheld until the IU is returned to routine status. Exhibit 6 includes example documents pertaining to permit suspensions.

In the case where a permit is suspended, the City's ordinance provides the IU with an opportunity for filing an appeal (hearing request) to the Board of Public Works. The Board should normally hold a hearing on the suspension within 14 days of receipt of the request.



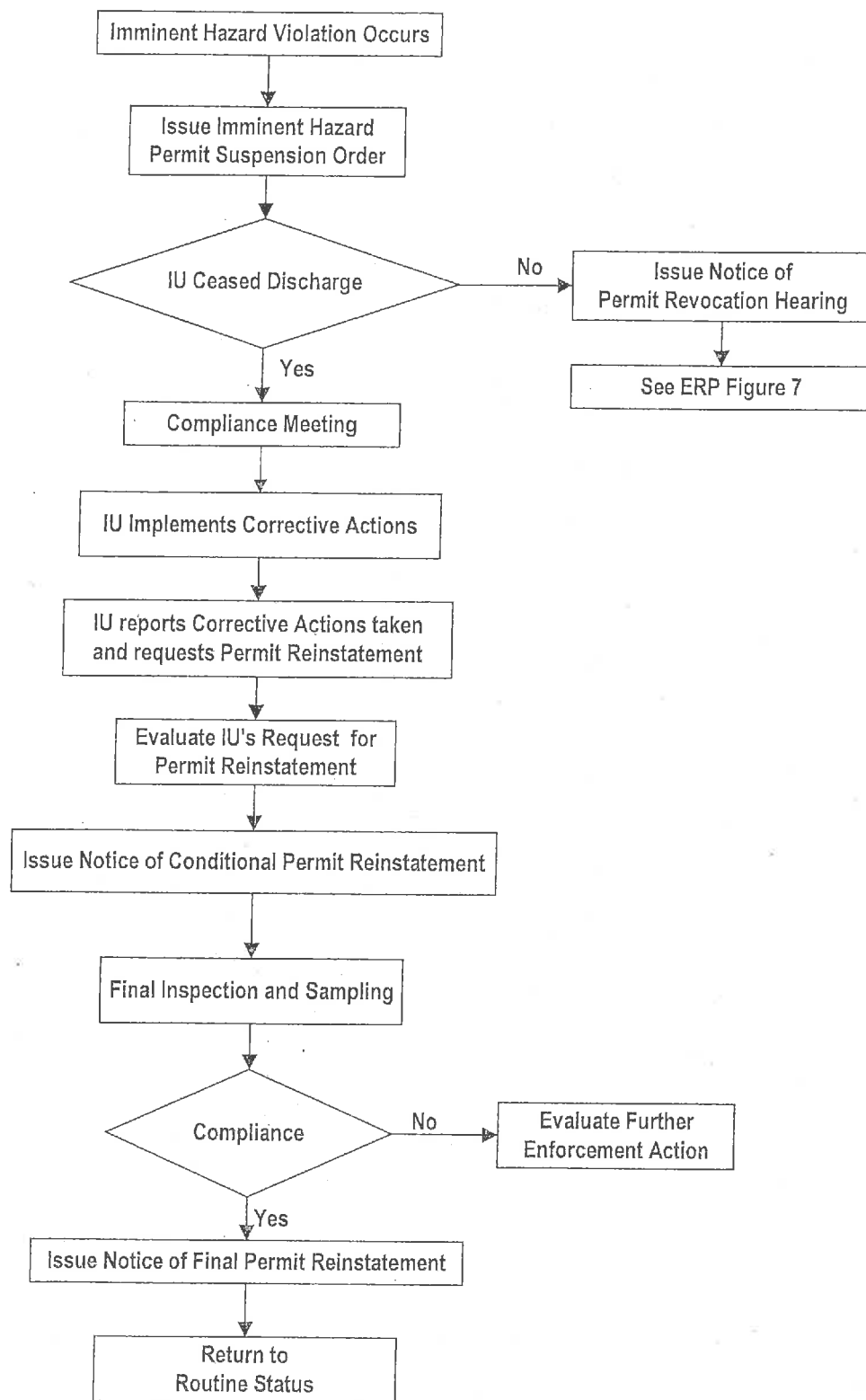
ERP Figure 5. Permit Suspension Order Process

At the conclusion of the Board hearing, the Board shall make a determination whether to terminate or conditionally terminate the suspension imposed by the Director or designee (Manager of the IWMD) or the Board may cause the permit to be revoked. In cases where sufficient corrective actions are not taken by the IU within a reasonable time frame (e.g., 90 days), the City may proceed with actions to revoke the permit.

### **2.1.7.5 Imminent Hazard Permit Suspension Orders**

In instances where an IU's wastewater discharge or operating conditions present an imminent hazard, an industrial wastewater permit may be immediately suspended and the IU ordered to cease discharge to the sewer system. Refer to ERP Figure 6 for an example of the Imminent Hazard Permit Suspension Order process. Due to the serious nature of such discharge as well as health and safety concerns, the IU is not provided with the opportunity for a Show Cause Permit Suspension Hearing prior to issuance of the Imminent Hazard Permit Suspension Order. An example of a Permit Suspension Order for imminent hazard is included in Exhibit 7. Under these circumstances, following permit suspension, the IU may be required to or request to attend a Compliance Meeting with IWMD staff.

As with standard Permit Suspension Orders, the IU is normally required to submit a notice stating that discharge to the sewer system has ceased. In order for the suspension to be lifted, the IU may be required to submit a Notice of Compliance and a report describing additional corrective actions taken. After satisfactory evaluation by IWMD staff, the IU may be issued a Notice of Conditional Permit Reinstatement. A final inspection and sampling, as appropriate, may then be conducted. A Notice of Final Permit Reinstatement may be withheld until the IU is returned to routine status.



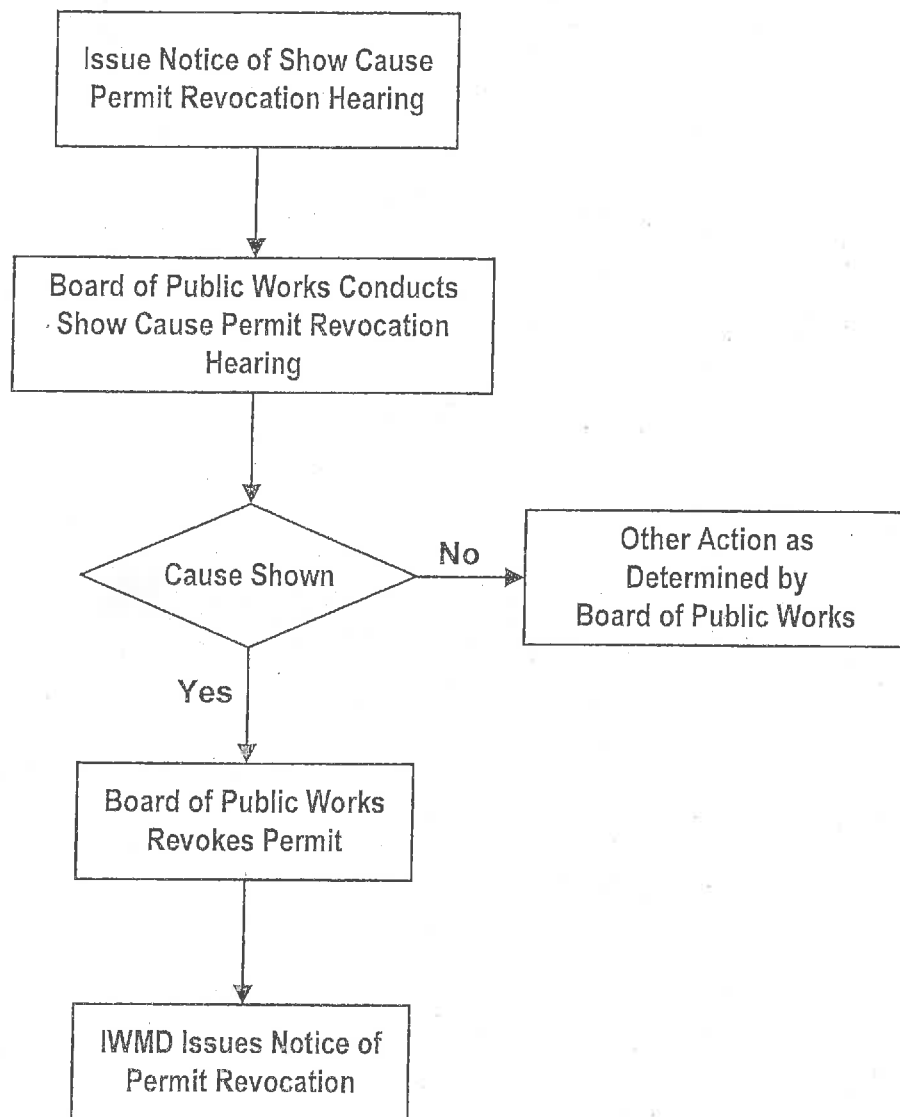
ERP Figure 6. Imminent Hazard Permit Suspension Order Process

As an alternative to attending a Compliance Meeting with IWMD staff, the City's ordinance provides the IU with an opportunity for filing an appeal (hearing request) to the Board of Public Works. The Board should normally hold a hearing on the imminent hazard suspension within three (3) days of receipt of the request.

At the conclusion of the Board hearing, the Board would make a determination whether to terminate or conditionally terminate the suspension imposed by the Director or designee (Manager of the IWMD), or the Board may cause the permit to be revoked.

In cases where sufficient corrective actions are not taken by the IU within a reasonable time frame (e.g., 90 days), the City may proceed with actions to revoke the permit.





ERP Figure 7. Permit Revocation Process

## **2.1.8 Permit Revocation**

In the event of significant, willful, or continuous violations of discharge standards, failure to pay fees, or violations of administrative order requirements, an Industrial Wastewater Permit may be revoked. ERP Figure 7 depicts example procedures for this action. Prior to a revocation occurring, the IU would be notified of the scheduled date for a Show Cause Permit Revocation Hearing before the Board of Public Works (Board). The hearing would then be conducted in a quasi-judicial manner, and allow for both IWMD and IU to each present its case to the Board. This would be followed by cross-examination and questioning by Board members. The IU is also provided with a copy of the IWMD's case against it and may be represented by legal counsel if it so chooses. At the conclusion of the hearing, the Board would consider the facts presented and make a determination to adopt IWMD's recommendations or impose conditions of its own.

In addition to recommending revocation of the permit, IWMD recommendations at Show Cause Permit Revocation Hearings can also include; sealing and severing the sewer connection, continued monitoring of IU activities, recovery of all City incurred costs, case referral to other affected regulatory agencies, and case referral to the City Attorney/District Attorneys Office for civil/criminal investigation. Exhibit 8 contains examples of permit revocation documents.

When an Industrial Wastewater Permit is revoked, IWMD issues a Notice of Permit Revocation to the IU. A new permit may be withheld until the IU has adequate control technology in place, and has proved that consistent compliance with pretreatment requirements can be achieved upon commencement of discharge.

### **2.1.9 Termination of Sewer Service**

As discussed in Section 2.1.8, often times in conjunction with permit revocation, sewer connections are sealed. Termination of sewer service may force an IU to cease its business activities until corrective actions acceptable to the City of Los Angeles are undertaken. Since a halt in business activities and closure of the IU's facility may result, it is expected that this enforcement response, if used, would address serious situations such as continued noncompliance by the IU to display no good faith, IU discharge which presents an imminent hazard, or situations which place the City of Los Angeles in violation of its NPDES permit.

### **2.1.10 Termination of Water Service**

Termination of water service is an available option; however, it requires cooperation with the City of Los Angeles, Department of Water and Power (DWP). The Department of Public Works, Bureau of Sanitation does not have authority to unilaterally discontinue water service, but may request such action by DWP. As with termination of sewer service, termination of water service may force the IU to cease its business activities until corrective actions acceptable to the City of Los Angeles are undertaken. Since a halt in business activities and closure of IU facility may result, it is expected that this enforcement response, if used, would address situations such as continued noncompliance by the IU to display no good faith, IU discharge which presents an imminent hazard, or situations which place the City of Los Angeles in violation of its NPDES permit.

### **2.1.11 Publication of Significant Noncompliant IUs**

Pursuant to Section 64.30 of the City's Ordinance, and in accordance with federal pretreatment regulations, the City publishes, on an annual basis, a list of IUs that exceed the criteria established for significant noncompliance (SNC). These IUs have their facility names and addresses published in local newspapers as Significant Noncompliant IUs (SNCs).

The City also reserves its rights, as an additional enforcement response, to provide public notice of IU noncompliance more frequently than once a year. Such additional adverse publicity may result in increased incentive for an IU to achieve compliance.

### **2.1.12 Recovery of City Incurred Costs**

Pursuant to the City's Ordinance, IUs may be liable for all costs incurred by the City during the course of an investigation and the subsequent enforcement action. These costs include, but are not limited to, labor, material, inspection, engineering, transportation, overhead, and associated incidental expenses.

### **2.1.13 Civil Filing**

In the event of violations of any provision of the City's Ordinance or any term or condition of any permit issued pursuant to said Ordinance, IWMD may refer the case to the City Attorney's Office for civil prosecution. Any such IU referred for civil prosecution shall be civilly liable to the City for up to \$25,000 per day for each violation. It is recognized, however, that due to litigation and other concerns,

City representatives may exercise professional judgement and settle lawsuits for less than the maximum penalty amount. Furthermore, the City may petition the Superior Court for injunctive relief to halt any discharge of industrial wastewater which causes or threatens to cause a condition of contamination, pollution, or nuisance.

#### **2.1.14 Criminal Prosecution**

In support of the Los Angeles County District Attorney Environmental Crimes Strike Force (Strike Force), and in an effort to curtail the discharge of untreated industrial wastewater discharge into the City's sewer system, IWMD staff may conduct surveillance monitoring of selected IUs in various locations throughout the City sewer system. In parallel to, and independent of the criminal investigation, IWMD may take administrative action against an IU that is being investigated for potential criminal prosecution.

After evidence of discharge violations has been gathered by IWMD monitoring crews, the case is presented to the Strike Force for investigation or discovery of additional evidence or illegal activity. If sufficient evidence of criminal activity is found, a search warrant may be obtained and an on-site criminal investigation conducted. The results of this investigation frequently lead to permit revocation, sewer sealing, additional criminal investigations, and more recently, grand jury hearings.

In addition, any person who violates any provision of the City's Ordinance is guilty of a misdemeanor punishable by a fine not to exceed \$1,000 per violation per day or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

### **2.1.15 Referral to EPA or State**

In some instances, authority available to the City of Los Angeles may not be suitable to address the environmental objectives. For this reason, or any other reason the City of Los Angeles determines to be good cause, the City may refer IU violation(s) to the EPA and/or State for a federal and/or State enforcement response.

The City of Los Angeles may assist in the federal and/or State-lead enforcement action. Referral of cases to the EPA and/or State may serve to increase the deterrent value of initial Los Angeles enforcement responses and could result in more constructive public relations.

### **2.1.16 No Action Response**

For some types of violations, the decision may be no action response necessary at this time. A decision by the City of Los Angeles not to initiate an enforcement response for industrial user violation(s), however, does not absolve the industrial user from any liability or damages should the City of Los Angeles, EPA, the State of California, or any other person, as appropriate, seek to initiate an enforcement response for such, or any other, violations by the industrial user.

# SECTION

## 3

### ENFORCEMENT RESPONSE GUIDE

---

#### 3.1 INTRODUCTION

The Bureau of Sanitation, Industrial Waste Management Division has developed the following Enforcement Response Guide (ERG) intended to define a range of appropriate enforcement responses based on the nature and severity of the violations, and to promote consistent and timely initiation of enforcement actions.

In developing this guide, several issues were taken into consideration regarding the circumstances surrounding a violation in order to determine an appropriate enforcement response. This is discussed in further detail in Section 3.2.

Section 3.3 includes the actual ERG which itemizes the violations and lists corresponding enforcement response alternatives.

Section 3.4 includes discussion of the Division's time frame goals for implementing the enforcement responses.

## **3.2 ENFORCEMENT RESPONSE CONSIDERATIONS**

A user of this guide may select from several alternative initial and follow-up actions. Enforcement responses available to the Division, but not listed in the ERG may be used at any time, however, the enforcement response selected should be appropriate to the violation. In determining the appropriate response to a violation, the following criteria may be considered:

- Magnitude of the Violation
- Duration of the Violation
- Effect of Violation on receiving water
- Effect of Violation on POTW
- Compliance History of the IU
- Good Faith of the IU
- IU Industrial Wastewater Permit Status
- IU discharging without an Industrial Wastewater Permit

Each of the above listed criteria is discussed in further detail in the following sections. Other considerations, as the Division staff deems appropriate (e.g., economic benefit or savings resulting from the violation; IU ability to pay; and equitable considerations) may also be utilized in determining an enforcement response to IU violation(s).

### **3.2.1 Magnitude of the Violation**

Some violations of an isolated or insignificant nature may require a response with some type of informal enforcement action such as a phone call or the issuance of an NOV. However, violations of a significant nature, even a single occurrence, can threaten the public health and the environment, damage the POTW's, or threaten the integrity of the Division's pretreatment enforcement program.



### **3.2.2 Duration of the Violation**

Regardless of the magnitude, Division staff may consider the duration of violations in determining an enforcement response. All else being equal, violations which continue over extended periods of time are a higher enforcement priority.

### **3.2.3 Effect on Receiving Water**

Inasmuch as one of the objectives of the National Pretreatment Program is to prevent pollutants from "passing through" the POTW and entering the receiving body of water, Division staff may consider the actual or potential effect on receiving water in fashioning an enforcement response. All else being equal, violations which can result in, or contribute to, environmental harm are a higher enforcement priority.

### **3.2.4 Effect on the POTW**

Some discharge violations may result in adverse effects on the POTW itself. Adverse effects on the POTW may include: significant increases in treatment costs; interference or harm to POTW personnel, equipment, processes, or operations; sludge contamination resulting in increased disposal costs; and damage or obstruction to the collection system. When responding to a violation of this type, Division staff may consider these factors and determine the appropriate enforcement response to deter similar types of noncompliance in the future, in addition to recovering any costs incurred by the POTW as a result of the violation.

### **3.2.5 Compliance History of IU**

IUs exhibiting patterns of recurring violations may lack adequate pretreatment equipment or have a casual attitude towards maintaining compliance with pretreatment standards. Patterns of violations may be recurring instances of the same type of noncompliance, or they may be recurring instances of noncompliance with various program requirements. Division staff may consider the compliance history of an IU in tailoring an enforcement response to the situation. In such instances, review of the IU compliance history may be an important element in determining whether a formal, or a less severe, enforcement response will be taken. However, when reviewing an IU's compliance history, many aspects can be considered. For example, an IU without an adequate pretreatment system or waste management program, whose history indicates no prior violations, but whose water use potentially seems excessive, may not necessarily be considered as having a "good compliance history".

### **3.2.6 Good Faith of IU**

When determining an appropriate enforcement response, the good faith of the IU is sometimes taken into account. "Good faith", however, is sometimes difficult to measure as even the best intentions of the most sincere IU go by the wayside, if the "incentive" to maintain compliance is not provided. Establishing and maintaining "good faith" through timely corrections of previous noncompliance, or taking action to prevent noncompliance before it occurs, may affect the enforcement response enlisted, and should be the goal of each IU.

### **3.2.7 IU Industrial Wastewater Permit Status**

Newly permitted IUs, or the IUs whose Industrial Wastewater Permits have been amended, may experience difficulty in achieving compliance with pretreatment standards.

IWMD staff may consider the permit status when initiating an enforcement response for an IU. In instances where an IU is having difficulty achieving compliance with new or amended permit conditions; a more formal administrative action may be warranted in response to a first-time violation.

### **3.2.8 IU Discharging without Industrial Wastewater Permit**

When an IU is found to be discharging to the POTW without an Industrial Wastewater Permit, IWMD staff may elect to issue a Cease and Desist Discharge Order. The Order requires the IU to submit a letter certifying that the unpermitted discharge of industrial wastewater to the POTW has ceased, and requires the IU to submit a permit application within a specified time period.

### **3.3 ENFORCEMENT RESPONSE GUIDE STRUCTURE**

Table 3.1 is the Enforcement Response Guide for the City of Los Angeles pretreatment enforcement program. This guide illustrates the general range of appropriate enforcement options available in the event of a violation. An enforcement response is deemed appropriate, depending upon the circumstances of each case. The identified enforcement responses are not mutually exclusive; Division staff may combine enforcement responses to the extent provided for by law, as it deems appropriate.

The guide establishes a system for identifying priorities and directing the flow of enforcement actions based on the most serious violations and available resources. Notwithstanding any other provision set forth in the guide, it is recognized that, in responding to IU violation(s), the City maintains the maximum degree of flexibility and use of its professional judgement as allowed by applicable federal and state law and regulations. Deviations from this Enforcement Response Plan and Guide may occur, depending upon the facts of a specific case.

The ERG includes five violation categories, each with sub-violations of varying severity. The seven main categories are:

- 1) Illegal Discharges;
- 2) Discharge Violations;
- 3) Non-Discharge Violations;
- 4) Enforcement Compliance Schedule Violations; and
- 5) Permit Condition Violations.

Following each main category, the guide presents, within each violation category, the violation type, nature of the violation, a range of appropriate enforcement responses, and responsible personnel. It is recognized that the ability of the City of Los Angeles to implement these responses may be limited by jurisdictional boundaries.

Acronyms are used in the matrix table to indicate the appropriate enforcement action. The list of acronyms with their appropriate meaning is presented below. The enforcement actions are described in the ERP in greater detail. The actions establish the available options to respond, both initially and, in the event of further non-compliance, in follow-up activities. The possible actions are:

CDO	-	Cease and Desist Order
CF	-	Civil Filing
CM	-	Compliance Meeting
CNO	-	Consent Order
CO	-	Compliance Order
CR	-	Cost Recovery
CRF	-	Criminal Filing
IHPSO	-	Imminent Hazard Permit Suspension Order
IMR	-	Increased Monitoring and Inspection
NA	-	Non-applicable
NAR	-	No Action Required at this Time
NOV	-	Notice of Violation
PR	-	Permit Revocation
PUB	-	Publication of Significant Noncompliant IUs
REF	-	Referral to EPA or State
SC	-	Show Cause Hearing
SPSO	-	Standard Permit Suspension Order
TC	-	Telephone Contacts
TSS	-	Termination of Sewer Service
TWS	-	Termination of Water Service
WN	-	Warning Notice

### 3.3.1 ENFORCEMENT RESPONSE GUIDE

#### 1 - ILLEGAL DISCHARGE VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL <sup>1</sup>
Unpermitted Discharge to sewer	IU unaware of permit requirement (insignificant - no harm)	TC, WN, NOV requiring permit application	Insp, Insp, Insp
	IU unaware of permit requirement (significant - causes harm)	NOV requiring permit application, CM, CR	Insp, Eng, Eng
	Continued discharge after notification by POTW	NOV, CDO, CM, CO, TSS	Insp, Eng, Eng, Eng, Bd
Discharge with Expired Permit	Failure to renew permit	WN, NOV requiring permit application, CDO, SPSO	Insp, Insp, Eng, Eng
Discharge with Board Revoked Permit (result of enforcement action)	Any occurrence	TSS, TWS, CF, CRF, REF	Bd, Bd, Att, Att, Eng
Failure to inform POTW of Ownership Change	First occurrence	WN, NOV requiring permit application	Insp, Insp
Discharge with Suspended Permit (result of enforcement action)	Any occurrence	PR, TSS, TWS, CF, CRF, REF	Bd, Bd, Att, Att, Eng
Discharge with Revoked Permit (result of enforcement action)	Any occurrence	TSS, TWS, CF, CRF, REF	Bd, Bd, Att, Att, Eng

1. Insp - Inspector  
Eng - Engineer  
Bd - Board of Public Works  
Att - City Attorney  
NA - Not Applicable

## 2 - DISCHARGE VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL <sup>1</sup>
1. Exceedance of Local or Federal Limits (from POTW or self monitoring sampling) or Best Management Practices	Isolated - non-significant	NAR, NOV	NA, Insp
	Isolated - significant	NOV, CDO, CM, CNO, CO, IMR, CR	Insp, Eng, Eng, Eng, Eng, Insp, Eng
	Frequent - nonsignificant	NOV, CDO	Insp, Eng
	Frequent - significant	NOV, CM, CO, IMR, CR	Insp, Eng, Eng, Eng, Insp, Eng
	Discharge causes known damage or imminent hazard	NOV, IHPSO, CR	Insp, Eng, Eng
2. Slug Load Uncontrolled Discharge	Isolated - nonsignificant (no known damage)	TC, WN, NOV	Insp, Insp, Insp
	Isolated - significant (known damage or pass through) or exceeding Title 22 limits for hazardous material	NOV, IHPSO, CR	Insp, Eng, Eng
	Frequent - any type	NOV, CM, SC, SPSO	Insp, Eng, Eng, Eng
3. Violations Detected from Surveillance Monitoring	Discharge of prohibited material (insignificant - no harm)	NAR, TC, WN, NOV, CDO	NA, Insp, Eng, Insp, Eng
	Discharge of prohibited material (significant - causes harm)	NOV, CM, CO, CR, SC, SPCO, CF, REF	Insp, Eng, Eng, Eng, Eng, Eng, Att, Eng
4. Exceedance of Limits while on Probation	Isolated - non-significant	NOV, IMR, CM, CO	Insp, Eng, Eng, Eng
	Isolated - significant	NOV, IMR, CM CO, SC, SPSO	Insp, Insp, Eng, Eng, Eng, Eng

1. Insp- Inspector  
 Eng- Engineer  
 Bd - Board of Public Works  
 Att - City Attorney  
 NA - Not Applicable

### 3 – NON-DISCHARGE VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL <sup>1</sup>
1. Reporting Violations	Reporting deficiency - Failure to report, incomplete reports including SMRs	WN, NOV	Eng, Insp
	Delinquent Report (<30 days)	NAR, TC, WN, NOV	NA, Insp, Insp, Insp
	Report not submitted - significant violation (>30 days)-SNC, Report submitted after SNC deadline	WN, NOV, CDO, PUB	Eng, Insp, Eng, Eng
	Recurring late reports	NOV, CDO	Insp, Eng
	Complete failure to submit self-monitoring report	NOV, CDO, IMR, PUB	Insp, Eng, Eng, Eng
	Failure to accurately report non-compliance	NOV, CDO	Insp, Eng
	Intentional falsification of reports	NOV, SC, SPSO, PR, TSS, CF, CRF	Insp, Eng, Eng, Bd, Bd, Att, Att
2. Failure to Monitor Correctly	Failure to monitor for all regulated pollutants	TC, WN, IMR, NOV	Eng, Eng, Insp, Eng
	Improper sampling procedure	TC, WN, IMR, NOV	Eng, Eng, Engr, Insp
	Failure to prenotify of self-monitoring sampling	NAR, TC, WN, IMR, NOV	NA, Insp, Insp, Insp
	Failure to prenotify of batch discharge	NAR, TC, WN, IMR, NOV	NA, Insp, Insp, Insp, Insp
	Failure to report additional self-monitoring	WN, NOV,	Insp, Insp
	Failure to resample following a self-monitoring violation	WN, NOV, IMR	Eng, Insp, Eng
	Recurring failure to monitor correctly	IMR, NOV, CDO	Insp, Insp, Eng
3. Failure to Install Monitoring Equipment	Delay of 60 days or less	NAR, WN, NOV	NA, Insp, Insp
	Delay of 60 days or more	WN, NOV, CDO, CM, CO	Eng, Insp, Eng, Eng,
4. Failure to Report Violation or Slug Discharge	Failure to notify POTW of a violation	NAR, IMR, NOV	NA, Insp, Insp
	Failure to report a spill	NAR, NOV	NA, Insp
	Failure to report a change in discharge	TC, WN, NOV	Insp, Insp, Insp
	Repeated failure to report (spill, violation, change in discharge)	NOV, CDO	Insp, Eng
5. Inadequate record-keeping	Batch discharge log, pH recorder tape, etc.	TC, WN, NOV	Insp, Insp, Insp
6. Failure to maintain monitoring equipment	Operating poorly	TC, WN, NOV, CDO, CM, CO	Insp, Insp, Insp, Eng, Eng, Eng
	Not operating	NOV, CDO, CM, CO, SC, SPSO	Insp, Eng, Eng, Eng, Eng, Eng

1. Insp- Inspector  
Eng- Engineer  
Bd - Board of Public Works  
Att - City Attorney  
NA - Not Applicable



#### 4 - ENFORCEMENT COMPLIANCE SCHEDULE VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL <sup>1</sup>
1. Missed Interim Compliance Schedule Milestone	Can be completed within 90 days or will not affect final milestone	NAR, TC, WN, NOV	NA, Eng, Eng, Insp
	Cannot be completed within 90 days and will affect final milestone (acceptable cause for delay)	NAR, TC, WN, NOV	NA, Eng, Eng, Insp
	Cannot be completed within 90 days and will affect final milestone (unacceptable cause for delay)	NOV, CM, CO	Insp, Eng, Eng
	Frequent schedule violations	NOV, CM, CO, SC, SPSO, CF, REF	Insp, Eng, Eng, Eng, Eng, Att, Eng
2. Missed Final Compliance Date	Compliance can be achieved within 90 days - acceptable cause for delay	NAR, TC, WN, NOV	NA, Insp, Eng, Insp
	Compliance cannot be achieved within 90 days - acceptable cause for delay	NAR, TC, WN, NOV	NA, Insp, Eng, Insp
	Compliance not achieved within 90 days - unacceptable cause for delay	NOV, CM, CO, SC, SPSO	Insp, Eng, Eng, Eng, Eng
3. Failure to submit required information	Inadequate information submitted	TC, WN, NOV	Insp, Insp, Insp
	No information submitted	TC, WN, NOV	Insp, Insp, Insp

1. Insp- Inspector  
Eng - Engineer  
Bd - Board of Public Works  
Att - City Attorney  
NA - Not Applicable

## 5 - PERMIT CONDITION VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL <sup>1</sup>
1. Wastestream Diluted in Lieu of Treatment	First occurrence	TC, WN, NOV, CDO	Insp, Insp, Insp, Eng
	Repeated occurrence	NOV, CM, CO	Insp, Eng, Eng
2. Failure to Properly Operate/Maintain PTS	First Occurrence	NAR, NOV, TC, WN	NA, Insp, Insp, Insp
	Repeated occurrence	NOV, CDO	Insp, Eng

1. Insp- Inspector
- Eng- Engineer
- Bd - Board of Public Works
- Att - City Attorney
- NA - Not Applicable

### **3.4 Time Frame Goals for Enforcement Responses**

Generally the time frame for responses will be based upon the nature of the violation and competing pretreatment priorities. Violations which threaten human health, the POTW or the environment will be given priority, as will SIU violations which meet the criteria for significant noncompliance (SNC). An IU which has been subject to an enforcement response establishing compliance schedule milestones but, nevertheless, identified as SNC or otherwise deemed to be in noncompliance (until it achieves the final compliance milestone of its compliance schedule), need not be subject to additional enforcement. Any subsequent enforcement against such IU is in the sole discretion of the City of Los Angeles.

The following time frames describe the Division's goals to take proper action following a review of an industrial user file and Division staff determining that an enforcement response or follow-up enforcement response is appropriate. These goals, however, do not preclude the Enforcement Division from taking appropriate actions in a shorter or longer time frame if deemed necessary. Moreover, certain enforcement responses may require internal notifications and/or approvals of other departments of the City of Los Angeles. As such, it is recognized that initiation of some enforcement responses may be time consuming and result in the initiation of an enforcement action beyond a time period otherwise anticipated or set forth below.

### Time Frame Goals to Implement Enforcement Action

- A. If telephone contact or reminder letter is used, initiate action within 10 to 45 days.
- B. If increased monitoring and/or inspection is used, initiate such action within 45 days.
- C. If an NOV or Compliance Meeting is used, initiate action up to 60 days.
- D. If a Consent Order, Cease and Desist Order, Compliance Order or Show Cause Hearing is used, initiate process within 60 days.
- E. If a Standard Permit Suspension Order is used, initiate process within 90 days.
- F. If an Imminent Hazard Permit Suspension Order is used, initiate process within 5 to 60 days from the time imminent hazard situation has been identified.
- G. If Permit Revocation is used, initiate process within 30 to 90 days.
- H. If a civil penalty, criminal filing, termination of sewer service, termination of water service or referral to EPA or State is used, initiate process in 60 - 120 days.

## EXHIBITS

### EXHIBIT 1 WARNING NOTICES

- Discharge Violation
- Special Permit Condition Violation

### EXHIBIT 2 NOTICE OF VIOLATION

- Sample Notice of Violation

### EXHIBIT 3 CEASE AND DESIST ORDER DOCUMENTS

#### **Categorical Industrial User (CIU)**

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Violations Order
- Notice of Termination of Enforcement Action

#### **Non-Categorical Significant Industrial User (NCSIU)**

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Violations Order
- Notice of Termination of Enforcement Action

#### **Local Industrial User (LIU)**

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Violations Order
- Notice of Termination of Enforcement Action

#### **SMR Violations (SMR/Discharge Violations)**

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Violations Order
- Notice of Termination of Enforcement Action

#### **Illegal Harmful Discharge (without IWP)**

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Discharge Order
- Notice of Termination of Enforcement Action

#### **Illegal No-Harm Discharge (without IWP)**

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Order
- Notice of Termination of Enforcement Action

### EXHIBIT 4 CONSENT ORDER DOCUMENTS

- Cover Letter (Issuance for Review and Signature)
- Cover Letter (Issuance of Final Consent Order)
- Consent Order
- Consent Order Schedule
- Notice of Termination of Enforcement Action

**EXHIBIT 5 COMPLIANCE ORDER DOCUMENTS**

**Categorical Industrial User (CIU)**

- Notice of Compliance Meeting
- Cover Letter (Issuance of Compliance Order)
- Compliance Order
- Compliance Order Schedule
- Notice of Termination of Enforcement Action

**Non-Categorical Significant Industrial User (NCSIU)**

- Notice of Compliance Meeting
- Cover Letter (Issuance of Compliance Order)
- Compliance Order
- Compliance Order Schedule
- Notice of Termination of Enforcement Action

**Local Industrial User (LIU)**

- Notice of Compliance Meeting
- Cover Letter (Issuance of Compliance Order)
- Compliance Order
- Compliance Order Schedule
- Notice of Termination of Enforcement Action

**EXHIBIT 6 PERMIT SUSPENSION ORDER DOCUMENTS**

- Notice of Show Cause Permit Suspension Hearing
- Cover Letter (Issuance of Permit Suspension Order)
- Permit Suspension Order
- Notice of Conditional Permit Reinstatement
- Notice of Final Permit Reinstatement

**EXHIBIT 7 IMMINENT HAZARD PERMIT SUSPENSION ORDER DOCUMENTS**

- Cover Letter (Notice of Imminent Hazard Permit Suspension)
- Imminent Hazard Permit Suspension Order
- Notice of Conditional Permit Reinstatement
- Notice of Final Permit Reinstatement

**EXHIBIT 8 PERMIT REVOCATION DOCUMENTS**

- Notice of Show Cause Permit Revocation Hearing
- Show Cause Permit Revocation Hearing Statement
- Notice of Permit Revocation

**EXHIBIT 9 RECEIPT FOR HAND DELIVERED ORDERS**

# EXHIBITS

## **EXHIBIT 1**

### **WARNING NOTICES**



Date

IU Name

IU Address

Attention: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

WARNING NOTICE - DISCHARGE VIOLATION(S)

On Date, IU was issued a type of order Order requiring that consistent and permanent compliance be achieved by Date. On Date, after corrective actions were taken by IU, the enforcement case was closed.

Recent sampling however, has revealed that IU has exceeded federal/local pretreatment standards for constituents as specified in Industrial Wastewater Permit No. W-XXXXXX. As a result, Notice of Violation No. XXXXXXXX was issued for this violation.

IU has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day (413 only) average discharge standards number (#) times for a total of number (#) days of violation, as shown below.

TU Name

-2-

Date

DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/1)	LIMIT (mg/1)	VIOLATION TYPE DAYS		NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

POTW-G - Grab Sample collected by the City  
 POTW-C - Composite Sample collected by the City  
 IU-G - Grab Sample collected by IU  
 IU-C - Composite Sample collected by IU  
 CPS - Average of Combined City and IU Results  
 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
 DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)  
 MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)  
 4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)  
 NOV# - Notice of Violation Number

(Note: Abbreviations not used may be deleted from the order)

This notice serves as a warning that further violations will subject IU to escalated enforcement action, which may result in permit suspension or revocation.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attention: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

WARNING NOTICE - SPECIAL PERMIT CONDITION VIOLATION(S)

IU was issued an Industrial Wastewater Permit No. W-XXXXXX on Date which contained requirements for implementation of special permit conditions as follows:

(describe requirements, include due date)

These requirements were not met by the specified deadline, and as a result, Notice of Violation No. XXXXXXXX was issued to IU on Date. To date, these issues remain incomplete.

This notice serves as a final warning that if the above described permit conditions are not completed by Date, escalated enforcement action will be initiated against IU, which may result in permit suspension or revocation.

LU Name

- 2 -

Date

If there are any questions regarding this matter, please contact  
Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

## **EXHIBIT 2**

### **NOTICE OF VIOLATION**



## NOTICE OF VIOLATION INDUSTRIAL WASTE CONTROL ORDINANCE

CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS		Bureau of Sanitation Industrial Waste Management Division		NOV # A000000	
PERMIT _____	FACILITY ID: _____		DATE SERVED _____		
BUSINESS _____					
ADDRESS _____	UNIT# _____				
ZIP _____	DISTRICT-SUBDISTRICT _____		PHONE _____		
SERVED TO _____	TITLE _____		DRIVER'S LIC# _____		
<input type="checkbox"/> PERSONAL SERVICE	<input type="checkbox"/> MAIL	INSPECTOR _____		PHONE: _____	
RESPONSE DUE 09/16/2017					
<p>You are hereby notified to cease violating Section 64.30 of the Los Angeles Municipal Code (LAMC) and the regulations of the Board of Public Works in the manner of discharge of industrial waste from your premises into the Los Angeles City sewer, or other type of disposal facility as indicated below:</p>					
<p>SAMPLE TAKEN <input type="checkbox"/> PHOTO TAKEN <input type="checkbox"/></p>					
<p>YOU ARE REQUIRED TO SUBMIT, WITHIN TEN (10) DAYS FROM THE ABOVE DATE SERVED, A WRITTEN EXPLANATION AS TO THE CAUSE OF VIOLATION, CORRECTIVE ACTIONS TAKEN, AND A SCHEDULE TO OBTAIN COMPLIANCE. IN REPLY, REFER TO NOV# AND MAIL SUBMITTAL TO:</p>					
Attention: _____		City of Los Angeles LA Sanitation Industrial Waste Management Division 2714 Media Center Drive Los Angeles, CA 90065 (323) 342-6200		Si desea la traduccion de esta ordenanza favor de llamar (323) 342-6200	
<p><b>WARNING:</b> Violation of the Los Angeles Municipal Code is a misdemeanor, punishable by a fine of \$1000.00 per violation per day or imprisonment for six (6) months, or both. This "NOTICE OF VIOLATION" has been issued to provide the discharger with the opportunity to cease and correct the unlawful discharge of industrial waste, without the City incurring enforcement costs. Note that if the violation(s) is(are) not corrected, formal enforcement action may commence. This could result in the discharger becoming liable to the City for reasonable costs for investigation and correction of the unlawful discharge, pursuant to Section 64.30(D) LAMC.</p>					
<p><b>NOTICE:</b> Appeal of any of the provisions and/or determinations contained in this Notice of Violation may be made to the Director of the Bureau of Sanitation. For inquiries regarding your right to appeal this notice or to make an application for appeal, you may contact the person named above, Monday through Friday, between the hours of 7:00 A.M. and 4:30 P.M.</p>					



**EXHIBIT 3**

**CEASE AND DESIST ORDER  
DOCUMENTS**

**(Exhibit 3)**

**Cease and Desist Violations Order  
for  
Discharge Violations**

**Categorical Industrial User**

**(CIU)**



Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST VIOLATIONS ORDER (CIU-DISCHARGE VIOLATIONS)

A review of IU's compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations, NOV's issued, and IU's response-if any)

In order to ensure that compliance with discharge standards is achieved, the attached Cease and Desist Violations Order is hereby issued to IU. The order requires IU to take all corrective actions necessary to achieve consistent and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX by Date. Additionally, to demonstrate full compliance, the order requires IU to conduct (number) additional daily/weekly/bi-weekly self-monitoring for (specify constituents to be monitored) from Date to Date and submit self-monitoring reports and documentation by Date.

IU Name

- 2 -

Date

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Cease and Desist Violations Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil and/or criminal filing which could subject IU to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

CEASE AND DESIST  
VIOLATIONS ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, Bureau of Sanitation, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the Bureau of Sanitation, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the Bureau of Sanitation finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date; (Use if applicable)
3. IU is classified under Categorical Industrial User (CIU) Group SIXX with an average industrial wastewater flow of XXXX gpd;

- 47 4. IU operates a facility involved in (process description) and  
48 discharges non-domestic wastewater containing pollutants to  
49 the sanitary sewer system of the City of Los Angeles;  
50
- 51 5. IU is a "significant industrial user" as defined by Part  
52 403.3(v)(1)(1) of Title 40 of the Code of Federal Regulations  
53 (40 CFR) and is subject to general pretreatment standards and  
54 National Categorical Pretreatment Standards as promulgated by  
55 EPA in 40 CFR 403 and 4XX;  
56
- 57 6. Pursuant to 40 CFR 4XX, any (existing/new source - describe  
58 process) operation, discharging less/more than 10,000 gallons  
59 a day (413 only), must comply with the daily maximum and  
60 monthly/4-day (413 only) average discharge limits for (list  
61 *federally regulated parameters*) set forth in 40 CFR 4XX by the  
62 (Date, final compliance deadline/within 90 days of  
63 commencement of discharge);  
64
- 65 7. Pursuant to 40 CFR 4XX, any (existing/new source - describe  
66 process) operation must also comply with the daily maximum  
67 discharge limit for *total toxic organics* set forth in 40 CFR  
68 4XX by the (Date, final compliance deadline/within 90 days of  
69 commencement of discharge);  
70
- 71 8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)  
72 prohibits the discharge of any material which will cause the  
73 City to violate its National Pollution Discharge Elimination  
74 System Permits, applicable Federal and State statutes, rules,  
75 or regulations;  
76
- 77 9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes  
78 it unlawful to introduce wastewater to the City's sewer system  
79 that exceeds listed specific pollutant limitations or other  
80 more restrictive limitations imposed by permit conditions or  
81 National Categorical Pretreatment Standards;  
82
- 83 10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes  
84 it unlawful for any person to violate any provision of the  
85 City's Ordinance or any term or condition of any permit issued  
86 pursuant thereto; and  
87
- 88 11. Pursuant to the City's Ordinance and above referenced permit,  
89 data has been routinely collected or submitted on the  
90 compliance status of IU.

91 FINDINGS OF VIOLATION

92  
93 City records show that IU has violated its permit conditions and  
94 the City's Ordinance in the following manner:  
95

- 96 1. IU has exceeded instantaneous maximum, daily maximum, and/or  
97 monthly/4-day(413 only) average discharge standards number (#)  
98 times for a total of number (#) days of violation, as shown  
99 below.  
100

101 DISCHARGE LIMIT VIOLATIONS

102

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/1)	LIMIT (mg/1)	VIOLATION		
					TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

103  
104  
105  
106  
107  
108  
109  
110

111 POTW-G - Grab Sample collected by the City  
112 POTW-C - Composite Sample collected by the City  
113 IU-G - Grab Sample collected by IU  
114 IU-C - Composite Sample collected by IU  
115 CPS - Average of Combined City and IU Results  
116 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
117 DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)  
118 MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)  
119 4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)  
120 NOV# - Notice of Violation Number

121 (Note: Abbreviations not used may be deleted from the order)

122 [Note: Use statement 2 only if applicable]  
123

- 124 2. IU has violated reporting requirements, as shown below.  
125

126 REPORTING VIOLATIONS

127

REPORTING PERIOD	DUE DATE	VIOLATION	
		TYPE	NOV#

128  
129  
130

131 MONTH-MONTH YR MONTH DAY, YR FS XXXXX  
132

133 FS - Failure to Submit Periodic Self-Monitoring Report  
134 DS - Delinquent Self-Monitoring Report  
135 IS - Incomplete Self-Monitoring Report  
136 FPI - Failure to submit Permitting Information  
137 NOV# - Notice of Violation Number

138 (Note: Abbreviations not used may be deleted from the order)

139 CEASE AND DESIST VIOLATIONS ORDER

140  
141 THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU  
142 IS HEREBY ORDERED TO:

143  
144 1. MAINTAIN CONSISTENT COMPLIANCE

145  
146 By 15/30 days from date of order, IU shall take all corrective  
147 actions necessary such that IU's discharge is in full and  
148 permanent compliance with all provisions of Industrial  
149 Wastewater Permit No. W-XXXXXX.

150  
151 2. CONDUCT ADDITIONAL SELF-MONITORING

152  
153 Once per week/Once every two weeks, beginning 15/30 days from  
154 date of order, for a period of two/four weeks, IU shall  
155 collect 24-hour composite samples of its discharge and analyze  
156 for (list all applicable federally and locally regulated  
157 parameters) and collect grab samples of its discharge and  
158 analyze for (list all applicable federally and locally  
159 regulated parameters).

- 160  
161 A. Grab samples for total toxic organics shall be analyzed  
162 for all reasonably expected constituents listed in  
163 Industrial Wastewater Permit No. W-XXXXXX. [Note: Use  
164 this statement only if TTO violations have occurred]  
165  
166 B. All sample analyses shall be performed by an independent  
167 laboratory using EPA approved analytical methods and  
168 shall be representative of discharge to the sewer.  
169  
170 C. All samples shall be taken from Sample Point XX,  
171 (description of the sample point).  
172  
173 D. IU shall prenotify the SIU Inspection Group, at (323)  
174 342-6200, 48 hours prior to any self-monitoring  
175 performed.  
176  
177 E. All self-monitoring performed as required by this order  
178 shall be reported on IU's periodic self-monitoring report  
179 form.  
180  
181 F. If results of any sample analysis indicate exceedences of  
182 discharge standards, IU shall notify the SIU Inspection  
183 Group, at (323) 342-6200, within 24 hours of becoming  
184 aware of the violation.

185 3. SUBMIT REQUIRED INFORMATION AND REPORTS

186  
187 A. By 60-75 days from date of order, IU shall submit all  
188 self-monitoring results required by this order.

189  
190 B. Every submittal shall be signed by an executive officer  
191 of IU and shall include the following statement:

192  
193 I certify under penalty of law that this document and all attachments were prepared  
194 under my direction or supervision in accordance with a system designed to assure  
195 that qualified personnel properly gather and evaluate the information submitted.  
196 Based on my inquiry of the person or persons who manage the system, or those  
197 persons directly responsible for gathering the information, I certify that all information  
198 is true and all wastewater samples analyzed and reported herein are representative of  
199 the ordinary process wastewater flow from this facility. I am aware that there are  
200 significant penalties for submitting false information, including the possibility of fine  
201 and imprisonment for knowing violations.  
202

203 C. Every submittal required by this Cease and Desist Order,  
204 excluding enforcement self-monitoring reports, shall be  
205 sent to the following address:  
206

207 *City of Los Angeles/Bureau of Sanitation*  
208 *Industrial Waste Management Division*  
209 *2714 Media Center Drive*  
210 *Los Angeles, CA 90065*  
211 *Attn: Staff Engineer*  
212

213 D. IU shall submit all self-monitoring reports, including  
214 periodic and enforcement self-monitoring reports, to the  
215 following address:  
216

217 *City of Los Angeles/Bureau of Sanitation*  
218 *Industrial Waste Management Division*  
219 *2714 Media Center Drive*  
220 *Los Angeles, CA 90065*  
221 *Attn: Information Systems Support Squad*  
222

223 IU'S RIGHTS AND RESPONSIBILITIES

- 224
- 225 1. IU shall be responsible for all cost recovery charges assessed
- 226 due to sampling, testing, inspection, engineering, and
- 227 administrative enforcement actions conducted as a result of
- 228 this order.
- 229
- 230 2. Failure to comply with the terms of this order shall
- 231 constitute a further violation of the City's Ordinance and may
- 232 subject IU to civil or criminal penalties or such other
- 233 enforcement actions as may be appropriate.
- 234
- 235 3. Pursuant to the City's Ordinance, Section 64-30 H.B. (e), IU
- 236 has the right to have this matter heard before the Board of
- 237 Public Works. IU may file a request for a hearing by
- 238 contacting the Permitting and Enforcement Environmental
- 239 Engineer at (323) 342-6098. Filing of such a request will not
- 240 stay the terms of this order; however, it will provide IU with
- 241 the opportunity for a hearing before the Board. At the
- 242 conclusion of the hearing, the Board shall make a
- 243 determination whether to uphold or modify the terms of this
- 244 order, or the Board may take other enforcement actions as
- 245 deemed necessary.
- 246
- 247

248 SIGNATORIES

249

250 This order takes effect upon signature.

251

252

253 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

254

255 [Manager Name]

256 Industrial Waste Management Division

257 Bureau of Sanitation

258 City of Los Angeles



Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (CIU-DISCHARGE VIOLATIONS)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other enforcement requirements have been duly noted by the Bureau of Sanitation. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. In addition,

TU Name

- 2 -

Date

pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

**(Exhibit 3)**

**Cease and Desist Violations Order  
for  
Discharge Violations**

**Non-Categorical Significant Industrial User  
(NCSIU)**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST VIOLATIONS ORDER (NCSIU-DISCHARGE VIOLATIONS)

A review of IU's compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations, NOV's issued and IU's response-if any)

In order to ensure that compliance with discharge standards is achieved, the attached Cease and Desist Violations Order is hereby issued to IU. The order requires IU to take all corrective actions necessary to achieve consistent and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX by Date. Additionally, to demonstrate full compliance, the order requires IU to conduct (number) additional daily/weekly/bi-weekly self-monitoring for (specify constituents to be monitored) from Date to Date and submit self-monitoring reports and documentation by Date.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Cease and Desist Violations Order will lead to escalated enforcement action and may result in permit suspension or revocation.

IU Name

- 2 -

Date

This case may also be referred to the City Attorney's Office for civil and/or criminal filing which could subject IU to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

CEASE AND DESIST  
VIOLATIONS ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, Bureau of Sanitation, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the Bureau of Sanitation, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the Bureau of Sanitation finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date; (use if applicable)

3. IU is classified under Non-Categorical Significant Industrial User (NCSIU) Group SIXX with an average industrial wastewater flow of XXXXX gpd;
4. IU operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
5. IU is a "significant industrial user" as defined by Part 403.3(v)(1)(ii) of Title 40 of the Code of Federal Regulations (40 CFR);
6. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollution Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;
7. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions;
8. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's Ordinance or any term or condition of any permit issued pursuant thereto; and
9. Pursuant to the City's Ordinance and above referenced permit, data has been routinely collected or submitted on the compliance status of IU.

77 FINDINGS OF VIOLATION

78  
79  
80 City records show that IU has violated its permit conditions and  
81 the City's Ordinance in the following manner:

- 82  
83 1. IU has exceeded instantaneous maximum discharge standards  
84 number (#) times for a total of number (#) days of violation,  
85 as shown below.  
86

87 DISCHARGE LIMIT VIOLATIONS

88  
89 SAMPLE SAMPLE PARA- ACTUAL LIMIT VIOLATION  
90 DATE TYPE METER (mg/l) (mg/l) TYPE DAYS NOV#

91  
92 POTW-G IM 1  
93 IU-G IM 1  
94

95 POTW-G - Grab Sample collected by the City  
96 IU-G - Grab Sample collected by IU  
97 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
98 NOV# - Notice of Violation Number

99 (Note: Abbreviations not used may be deleted from the order)  
100 [Use statement 2 only if applicable]  
101  
102

- 103 2. IU has violated reporting requirements, as shown below.  
104

105 REPORTING VIOLATIONS

106  
107 REPORTING DUE VIOLATION  
108 PERIOD DATE TYPE NOV#

109  
110 MONTH-MONTH YR MONTH DAY, YR FS XXXXX

111  
112 FS - Failure to Submit Periodic Self-Monitoring Report  
113 DS - Delinquent Self-Monitoring Report  
114 IS - Incomplete Self-Monitoring Report  
115 FPI - Failure to submit Permitting Information  
116 NOV# - Notice of Violation Number



## CEASE AND DESIST VIOLATIONS ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU  
IS HEREBY ORDERED TO:

### 1. MAINTAIN CONSISTENT COMPLIANCE

By 15-30 days from date of order, IU shall take all corrective actions necessary such that IU's discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.

### 2. CONDUCT ADDITIONAL SELF-MONITORING

Once per week/Once every two weeks, beginning 15/30 days from date of order, for a period of two/four weeks, IU shall collect grab sample(s) of its discharge and analyze for (list all applicable locally regulated parameters).

A. All sample analyses shall be performed by an independent laboratory using EPA approved analytical methods and shall be representative of discharge to the sewer.

B. All samples shall be taken from Sample Point XX, (description of sampling point).

C. IU shall prenotify the SIU Inspection Group, at (323) 342-6200, 48 hours prior to any self-monitoring performed.

D. All self-monitoring performed as required by this order shall be reported on IU's periodic self-monitoring report form.

E. If results of any sample analysis indicate exceedences of discharge standards, IU shall notify the SIU Inspection Group, at (323) 342-6200, within 24 hours of becoming aware of the violation.

### 3. SUBMIT REQUIRED INFORMATION

A. By 60-75 days from date of order, IU shall submit all self-monitoring results required by this order.

- 161  
162  
163  
164 B. Every submittal shall be signed by an executive officer  
165 of IU and shall include the following statement:  
166

167 I certify under penalty of law that this document and all  
168 attachments were prepared under my direction or supervision in  
169 accordance with a system designed to assure that qualified personnel  
170 properly gather and evaluate the information submitted. Based on my  
171 inquiry of the person or persons who manage the system, or those  
172 persons directly responsible for gathering the information, I  
173 certify that all information is true and all wastewater samples  
174 analyzed and reported herein are representative of the ordinary  
175 process wastewater flow from this facility. I am aware that there  
176 are significant penalties for submitting false information,  
177 including the possibility of fine and imprisonment for knowing  
178 violations.  
179

- 180 C. Every submittal required by this Cease and Desist Order,  
181 excluding enforcement self-monitoring reports, shall be  
182 sent to the following address:  
183

184 *City of Los Angeles/Bureau of Sanitation*  
185 *Industrial Waste Management Division*  
186 *2714 Media Center Drive*  
187 *Los Angeles, CA 90065*  
188

189 Attn: Staff Engineer  
190

- 191 D. IU shall submit all self-monitoring reports, including  
192 periodic and enforcement self-monitoring reports, to the  
193 following address:  
194

195 *City of Los Angeles/Bureau of Sanitation*  
196 *Industrial Waste Management Division*  
197 *2714 Media Center Drive*  
198 *Los Angeles, CA 90065*  
199

200 Attn: Information Systems Support Squad

## IU'S RIGHTS AND RESPONSIBILITIES

1. IU shall be responsible for all cost recovery charges assessed due to sampling, testing, inspection, engineering, and administrative enforcement actions conducted as a result of this order.
2. Failure to comply with the terms of this order shall constitute a further violation of the City's Ordinance and may subject IU to civil or criminal penalties or such other enforcement actions as may be appropriate.
3. Pursuant to the City's Ordinance, Section 64-30.13 (e), IU has the right to have this matter heard before the Board of Public Works. IU may file a request for a hearing by contacting the Permitting and Enforcement Environmental Engineer at (323) 342-6098. Filing of such a request will not stay the terms of this order; however, it will provide IU with the opportunity for a hearing before the Board. At the conclusion of the hearing, the Board shall make a determination whether to uphold or modify the terms of this order, or the Board may take other enforcement actions as deemed necessary.

### SIGNATORIES

This order takes effect upon signature.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

[Manager Name]  
Industrial Waste Management Division  
Bureau of Sanitation  
City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (NCSIU DISCHARGE VIOLATIONS)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other enforcement requirements have been duly noted by the Bureau of Sanitation. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation.

TU Name: - 2 - Date

In addition, pursuant to the Los Angeles Municipal Code Section 64-30 D. 11, TU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

**(Exhibit 3)**

**Cease and Desist Violations Order  
for  
Discharge Violations**

**Local Industrial User**

**(LIU)**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST VIOLATIONS ORDER (LIU-DISCHARGE VIOLATIONS)

A review of IU's compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations, NOV's issued, and IU's response if any)

In order to ensure that compliance with discharge standards is achieved, the attached Cease and Desist Violations Order is hereby issued to IU. The order requires IU to take all corrective actions necessary to achieve consistent and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX by Date. Additionally, to demonstrate full compliance, the order requires IU to conduct (number) additional daily/weekly/bi-weekly self-monitoring for (specify constituents to be monitored) from Date to Date and submit self-monitoring reports and documentation by Date.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Cease and Desist Violations Order will lead to escalated enforcement action and may result in permit suspension or revocation.





CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

CEASE AND DESIST  
VIOLATIONS ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, Bureau of Sanitation; under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the Bureau of Sanitation, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the Bureau of Sanitation finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU is a Local Industrial User (LIU) with an average industrial wastewater flow of XXXX gpd;

- 45 3. IU operates a facility involved in (process description) and  
46 discharges non-domestic wastewater containing pollutants to  
47 the sanitary sewer system of the City of Los Angeles;  
48
- 49 4. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)  
50 prohibits the discharge of any material which will cause the  
51 City to violate its National Pollution Discharge Elimination  
52 System Permits, applicable Federal and State statutes, rules,  
53 or regulations;  
54
- 55 5. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes  
56 it unlawful to introduce wastewater to the City's sewer system  
57 that exceeds listed specific pollutant limitations or other  
58 more restrictive limitations imposed by permit conditions;  
59
- 60 6. Pursuant to the City's Ordinance, Section ~~64.30.B.2.(c)~~ makes  
61 it unlawful for any person to violate any provision of the  
62 City's Ordinance or any term or condition of any permit issued  
63 pursuant thereto; and  
64
- 65 7. Pursuant to the City's Ordinance and above referenced permit,  
66 data has been routinely collected or submitted on the  
67 compliance status of IU.

68 FINDINGS OF VIOLATION

69  
70  
71 City records show that IU has violated its permit conditions and  
72 the City's Ordinance in the following manner:

73  
74 IU has exceeded instantaneous maximum discharge standards  
75 number (#) times for a total of number (#) days of violation,  
76 as shown below.

77  
78 DISCHARGE LIMIT VIOLATIONS

79  
80 SAMPLE SAMPLE PARA- ACTUAL LIMIT VIOLATION  
81 DATE TYPE METER (mg/l) (mg/l) TYPE DAYS NOV#  
82  
83 POTW-G IM 1  
84  
85 POTW-G - Grab Sample collected by the City  
86 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
87 NOV# - Notice of Violation Number

88                   **CEASE AND DESIST VIOLATIONS**  
89                   **ORDER**  
90

91   THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU  
92   IS HEREBY ORDERED TO:  
93

94  
95   1.   MAINTAIN CONSISTENT COMPLIANCE  
96

97       By 15-30 days from date of order, IU shall take all corrective  
98       actions necessary such that IU's discharge is in full and  
99       permanent compliance with all provisions of Industrial  
100       Wastewater Permit No. W-XXXXXX.  
101

102  
103   2.   CONDUCT SELF-MONITORING  
104

105       Once per week/Once every two weeks, beginning 15-30 days from  
106       date of order, for a period of two/four weeks, IU shall  
107       collect grab samples of its discharge and analyze for (list  
108       all applicable locally regulated parameters).  
109

110       A.   All sample analyses shall be performed by an independent  
111       laboratory using EPA approved analytical methods and  
112       shall be representative of discharge to the sewer.  
113

114       B.   All samples shall be taken from Sample Point XX,  
115       (description of sample point).  
116

117       C.   IU shall prenotify Staff Engineer, at phone number, 48  
118       hours prior to any self-monitoring performed.  
119

120       D.   If results of any sample analysis indicate exceedences of  
121       discharge standards, IU shall notify Staff Engineer, at  
122       phone number, within 24 hours of becoming aware of the  
123       violation.  
124

125  
126   3.   SUBMIT REQUIRED INFORMATION AND REPORTS  
127

128       A.   By 60-75 days from date of order, IU shall submit  
129       laboratory reports of all self-monitoring results  
130       required by this order.  
131

132  
133  
134  
135  
136 B. Every submittal shall be signed by an executive officer  
137 of IU and shall include the following statement:  
138

139 I certify under penalty of law that this document and all attachments were prepared  
140 under my direction or supervision in accordance with a system designed to assure  
141 that qualified personnel properly gather and evaluate the information submitted.  
142 Based on my inquiry of the person or persons who manage the system, or those  
143 persons directly responsible for gathering the information, I certify that all information  
144 is true and all wastewater samples analyzed and reported herein are representative of  
145 the ordinary process wastewater flow from this facility. I am aware that there are  
146 significant penalties for submitting false information, including the possibility of fine  
147 and imprisonment for knowing violations.  
148

149 C. Every submittal required by this Cease and Desist Order  
150 shall be sent to the following address:  
151

152 *City of Los Angeles/Bureau of Sanitation*  
153 *Industrial Waste Management Division*  
154 *2714 Media Center Drive*  
155 *Los Angeles, CA 90065*  
156

157 Attn: Staff Engineer

158 IU'S RIGHTS AND RESPONSIBILITIES

- 159
- 160
- 161 1. IU shall be responsible for all cost recovery charges assessed
- 162 due to sampling, testing, inspection, engineering, and
- 163 administrative enforcement actions conducted as a result of
- 164 this order.
- 165
- 166 2. Failure to comply with the terms of this order shall
- 167 constitute a further violation of the City's Ordinance and may
- 168 subject IU to civil or criminal penalties or such other
- 169 enforcement actions as may be appropriate.
- 170
- 171 3. Pursuant to the City's Ordinance, Section ~~64.30.13.1(e)~~, IU
- 172 has the right to have this matter heard before the Board of
- 173 Public Works. IU may file a request for a hearing by
- 174 contacting the Permitting and Enforcement Environmental
- 175 Engineer at (323) 342-6098. Filing of such a request will not
- 176 stay the terms of this order; however, it will provide IU with
- 177 the opportunity for a hearing before the Board. At the
- 178 conclusion of the hearing, the Board shall make a
- 179 determination whether to uphold or modify the terms of this
- 180 order, or the Board may take other enforcement actions as
- 181 deemed necessary.
- 182
- 183

184 SIGNATORIES

185

186 This order takes effect upon signature.

187

188

189 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

190

191 [Manager Name]

192 Industrial Waste Management Division

193 Bureau of Sanitation

194 City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (LIU-DISCHARGE VIOLATIONS)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other enforcement requirements have been duly noted by the Bureau of Sanitation. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the enforcement monitoring. IU, however, must maintain compliance with all conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. Further violations of Industrial Wastewater Permit No. W-XXXXXX may subject IU to increased inspection frequency, and consequently higher inspection and control fees.

IU Name - 2 - Date

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II



**(Exhibit 3)**

**Cease and Desist Violations Order  
for  
Self-Monitoring Reporting/Discharge Violations**

**(SMR)**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST VIOLATIONS ORDER (SMR/DISCHARGE VIOLATIONS)

A review of IU's compliance history indicates violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

IU has failed to conduct required self-monitoring of its industrial wastewater discharge for the (period of violation) monitoring period(s) and submit the report(s) by the Date deadline as stated in Industrial Wastewater Permit No. W-XXXXXX. IU also has exceeded discharge limits for (specify constituents) during sampling conducted by the City and/or IU on Date. (Use this statement if IU had discharge violations) As a result, the attached Cease and Desist Violations Order is hereby issued to IU.

The order requires IU to perform (number) additional self-monitoring during the month of Month Year and submit the report by Date. Additionally, the order requires IU to take all necessary corrective actions and achieve consistent compliance with discharge standards specified in Industrial Wastewater Permit No. W-XXXXXX. (Use this statement if IU had discharge violations)

IU Name

- 2 -

Date

Please note that this additional self-monitoring is required as a result of non-submittal of the self-monitoring report for (period of violation) monitoring period and does not constitute any other periodic self-monitoring as required by Industrial Wastewater Permit No. W-XXXXXX.

Be aware that failure to maintain compliance with permit conditions and/or failure to comply with the requirements of this Cease and Desist Violations Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30 D-11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

1 CITY OF LOS ANGELES  
2 DEPARTMENT OF PUBLIC WORKS  
3 BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION  
4  
5

6 IN THE MATTER OF

8 IU Name

9 IU Address

12 INDUSTRIAL USER NO. IUXXXXXX

14 INDUSTRIAL WASTEWATER

15 PERMIT NO. W-XXXXXX

17 CASE NO. XXXXXX

\*  
\*  
\* CEASE AND DESIST  
\* VIOLATIONS ORDER  
\*  
\*  
\*  
\*  
\*  
\*

20 LEGAL AUTHORITY

21  
22 The following findings and order are made pursuant to authority  
23 vested in the Director, Bureau of Sanitation, under Section 64.30  
24 of the Los Angeles Municipal Code (hereinafter referred to as the  
25 City's Ordinance), and rules and regulations adopted by the Board  
26 of Public Works pursuant thereto. This authority has been  
27 delegated by the Director to the Manager of the Bureau of  
28 Sanitation, Industrial Waste Management Division.  
29

30 FACTS

31  
32 The Manager of the Industrial Waste Management Division of the  
33 Bureau of Sanitation finds that IU is in violation of conditions  
34 contained in Industrial Wastewater Permit No. W-XXXXXX.  
35

36 This finding is made on the basis of the following facts:  
37

- 38 1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on  
39 Date, which specifies discharge limitations, reporting  
40 requirements, and other conditions pursuant to Section 64.30  
41 of the City's Ordinance;  
42  
43 2. IU's Industrial Wastewater Permit No. W-XXXXXX was most  
44 recently amended/renewed on Date;  
45

3. IU is classified under Categorical Industrial User (CIU)/Non-Categorical Significant Industrial User (NCSIU) Group SIXX with an average industrial wastewater discharge of XXXX gpd; (Use IU classification as appropriate)

4. IU operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;

5. IU is a "significant industrial user" as defined by Part 403.3(v)(i) (i) / (ii) (use (ii) if IU is NCSIU) of Title 40 of the Code of Federal Regulations (40 CFR), and is subject to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by EPA in 40 CFR 403, and 4XX; (only use highlighted portion and two sections below if IU is categorical)

6. Pursuant to 40 CFR 4XX, any (existing/new source - describe process) operation, discharging less/more than 10,000 gallons a day (413 only), must comply with the daily maximum and monthly/4-day (413 only) average discharge limits for (list federally regulated parameters) set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);

7. Pursuant to 40 CFR 4XX, any (existing/new source - describe process) operation must also comply with the daily maximum discharge limit for **total toxic organics** set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);

8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollutant Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;

9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions or National Categorical Pretreatment Standards; (use if IU is categorical)

- 91 10. Pursuant to the City's Ordinance, Section 64.30.F.9.(c) makes  
92 it unlawful for any person to violate any provision of the  
93 City's Ordinance or any term or condition of any permit issued  
94 pursuant thereto;  
95
- 96 11. Pursuant to the City's Ordinance, Section 64.30.C.2.(b) or (c)  
97 provides the Director authority to require submittal of  
98 technical reports or discharge reports. As such, Industrial  
99 Wastewater Permit No. W-XXXXXX requires IU to self-monitor for  
100 all federally and/or locally regulated parameters on a  
101 (frequency) basis and surcharge parameters on a (frequency),  
102 and submit self-monitoring reports (SMRs) to the Bureau of  
103 Sanitation; and  
104 (Use required self-monitoring as appropriate)  
105
- 106 12. Pursuant to the City's Ordinance and above referenced permit,  
107 data has been routinely collected and submitted on the  
108 compliance status of IU.  
109

## FINDINGS OF VIOLATION

City records show that IU has violated its permit conditions and the City's Ordinance in the following manner:

1. IU has violated reporting requirements as shown below.

### REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXX
FS	-	Failure to Submit Periodic Self-Monitoring Report	
DS	-	Delinquent Self-Monitoring Report	
IS	-	Incomplete Self-Monitoring Report	
NOV#	-	Notice of Violation Number	

2. IU has exceeded criteria for significant non-compliance as defined in 40 CFR 403.8(f) (2) (vii). Specifically, IU exceeded, by more than thirty (30) days, the final deadline for submittal of self-monitoring reports.

3. IU also has exceeded specific pollutant limitations for instantaneous maximum, daily maximum, and/or monthly/4-day (413 only) average discharge standards number (#) times for a total of number (#) days of violation, as shown below.

### DISCHARGE LIMITS VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

POTW-G	-	Grab Sample collected by the City
POTW-C	-	Composite Sample collected by the City
IU-G	-	Grab Sample collected by IU
IU-C	-	Composite Sample collected by IU
CPS	-	Average of Combined City and IU Results
IM	-	Instantaneous Maximum (Local Limit, LAMC 64.30)
MA	-	Monthly Average (Pretreatment Stds, 40 CFR 4XX)
DM	-	Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
NOV#	-	Notice of Violation Number

(Note: Use statement 3 if applicable)

159                                   **CEASE AND DESIST VIOLATIONS**  
160                                   **ORDER**  
161

162   THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU  
163   IS HEREBY ORDERED TO:

164  
165   1.    MAINTAIN CONSISTENT COMPLIANCE  
166

167       A.   IU shall abide by all reporting conditions of Industrial  
168           Wastewater Permit No. W-XXXXXX. These conditions include  
169           the following:

- 170  
171               a.   Submitting Self-Monitoring Reports (SMRs) by  
172               the due date as specified in the permit;  
173               b.   Prenotifying Industrial Waste Management  
174               Division at least forty-eight (48) hours prior  
175               to sampling;  
176               c.   Sampling for all regulated constituents; and  
177               d.   Providing all required information.

178  
179       B.   IU shall take all corrective actions necessary to achieve  
180           consistent compliance with discharge standards specified  
181           in Industrial Wastewater Permit No. W-XXXXXX.  
182           (Use this statement if IU also had discharge violations)  
183

184   2.    CONDUCT ADDITIONAL SELF-MONITORING  
185

186   IU shall perform (number) additional self-monitoring during  
187   the month of Month Year. The additional self-monitoring  
188   event(s) shall include analysis for all (federally and locally  
189   regulated and/or surcharge) constituents specified in  
190   Industrial Wastewater Permit No. W-XXXXXX.  
191

192   Please be aware that this additional self-monitoring is  
193   required as a result of non-submittal of self-monitoring  
194   report(s) for (period of violation) and does not constitute  
195   any other periodic self-monitoring as required by Industrial  
196   Wastewater Permit No. W-XXXXXX.  
197

198       A.   All sample analyses shall be performed by an independent  
199           laboratory using EPA approved analytical methods and  
200           shall be representative of discharge to the sewer.  
201



- 202 B. All samples shall be taken from Sample Point ~~XX~~,  
203 (description of sample point).  
204  
205 C. IU shall prenotify the SIU Inspection Group, at (323)  
206 342-6200, 48 hours prior to any self-monitoring  
207 performed.  
208  
209 D. All self-monitoring performed as required by this order  
210 shall be reported on IU's periodic self-monitoring report  
211 form. IU shall label "ENFORCEMENT SMR" the first page of  
212 the self-monitoring report form for this additional  
213 monitoring.  
214  
215 E. If results of any sample analysis indicate exceedences of  
216 discharge standards, IU shall notify the SIU Inspection  
217 Group, at (323) 342-6200, within 24 hours of becoming  
218 aware of the violation.  
219  
220

221 3. SUBMIT REQUIRED INFORMATION  
222

- 223 A. By 45 days from date of order, IU shall submit all self-  
224 monitoring results required by this order.  
225  
226 B. Every submittal, including enforcement and periodic self-  
227 monitoring reports, shall be sent to the following  
228 address:  
229

230 *City of Los Angeles/Bureau of Sanitation*  
231 *Industrial Waste Management Division*  
232 *2714 Media Center Drive*  
233 *Los Angeles, CA 90065*  
234

235 Attn: Information Systems Support Squad

236 IU'S RIGHTS AND RESPONSIBILITIES

- 237
- 238
- 239 1. IU shall be responsible for all cost recovery charges assessed
- 240 due to sampling, testing, inspection, engineering, and
- 241 administrative enforcement actions conducted as a result of
- 242 this order.
- 243
- 244 2. Failure to comply with the terms of this order shall
- 245 constitute a further violation of the City's Ordinance and may
- 246 subject IU to civil or criminal penalties or such other
- 247 enforcement actions as may be appropriate.
- 248
- 249 3. Pursuant to the City's Ordinance Section 64.30.E.3.(e), IU
- 250 has the right to have this matter heard before the Board of
- 251 Public Works. IU may file a request for a hearing by
- 252 contacting the Permitting and Enforcement Environmental
- 253 Engineer at (323) 342-6098. Filing of such a request will not
- 254 stay the terms of this order; however, it will provide IU with
- 255 the opportunity for a hearing before the Board. At the
- 256 conclusion of the hearing, the Board shall make a
- 257 determination whether to uphold or modify the terms of this
- 258 order, or the Board may take other enforcement actions as
- 259 deemed necessary.
- 260
- 261
- 262

263 SIGNATORIES

264

265 This order takes effect upon signature.

266

267

268 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

269

270 [Manager Name]

271 Industrial Waste Management Division

272 Bureau of Sanitation

273 City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (SMR/DISCHARGE VIOLATIONS)

IU has submitted the additional self-monitoring report(s) required by the Cease and Desist Order issued on Date. Compliance with the enforcement requirements and discharge standards has been duly noted by the Bureau of Sanitation. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its standard self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation.

IU Name

- 2 -

Date

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

**(Exhibit 3)**

**Cease and Desist Discharge Order  
for  
Illegal Harmful Discharge**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. NONE

Industrial Wastewater Permit No. NONE

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST DISCHARGE ORDER (ILLEGAL HARMFUL  
DISCHARGE WITHOUT INDUSTRIAL WASTEWATER PERMIT)

*(Use statements below as appropriate and applicable)*

Continuous monitoring of the wastewater collection system within the City's Treatment Plant tributary area and the plant influent conducted by City of Los Angeles personnel has revealed that IU was the major discharger of constituents to the sewer system.

An inspection of IU conducted by the City of Los Angeles, Bureau of Sanitation, Industrial Waste Management Division staff on Date indicated that IU was operating a facility involved in process description and discharging process wastewater to the City's sewer system without an Industrial Wastewater Permit.

High levels of constituents in IU's effluent caused/has the potential to cause the City's Treatment Plant plant to violate its NPDES Permit discharge limit(s) for constituents and/or regulatory limitations for (discuss specifics) on Date.

From Date to Date, City of Los Angeles conducted wastewater discharge monitoring at maintenance holes located immediately upstream and down-stream of Location/Street Address.

IU Name

-2-

Date

Samples taken during this monitoring indicated high concentrations of (list constituents) exceeding discharge limitations contained in Section 64.30.B.2 of the Los Angeles Municipal Code (LAMC).

In addition, the pollutants concentrations of these samples have also exceeded the hazardous and health and safety limitations set by California Code of Regulations under Title 22.

(Note: Use this statement if applicable)

Test results of samples taken by the City indicated that pollutants found in the samples had waste profile consistent to chemicals used in IU's operations and processes.

On Date, during the U.S. EPA Strike Force/Los Angeles County District Attorney Environmental Crimes Strike Force search warrant,

Industrial Waste Management Division (IWMD) of the Bureau of Sanitation, City of Los Angeles conducted an inspection of IU. This inspection revealed that IU has been discharging process wastewater to the sewer system of the City of Los Angeles, without an Industrial Wastewater Permit. Furthermore, IU has been improperly utilizing its sanitary sewer connection for discharge of industrial wastewater. Therefore, IU has violated Section 64.30.C.1.(a) of the City's Ordinance.

Based upon the above findings, on Date, IU was issued Notice of Violation No. XXXXXXXXX for violating Section 64.30.C.1.(a) of the City's Ordinance, discharging process wastewater without an Industrial Wastewater Permit. Also, on Date, IU was provided with a copy of permit application and required to apply for an Industrial Wastewater Permit.

(Use above statements whichever applicable)

Based upon the above facts and findings, and pursuant to Sections 64.30.B.1.(a)(6), 64.30.B.1.(a)(8), 64.30.C.1.(a), 64.30.E.5, and 64.30.E.9 of the City's Ordinance, the attached Cease and Desist Discharge Order is hereby issued to IU, requiring that IU immediately cease all further industrial wastewater discharges to the City's sewer system.

(Note: Use LAMC Section(s) whichever applicable)

As specified in the Order, IU is required to submit a notice of discharge cessation by Date.

IU Name

- 3 -

Date

The order also requires IU to submit the completed Permit Application (copy enclosed) and the application fee of \$510.00, by Date. (Note: Use this statement if applicable)

IU is also required to attend a Compliance Meeting with Bureau of Sanitation, Industrial Waste Management Division (IWMD) staff.

The meeting will be held on (Day), Date, at (time) in the Industrial Waste Management Division headquarters, located at 2714 Media Center Drive, Los Angeles CA. The meeting must be attended by IU management and operations staff. IU should be prepared to discuss the cause of violation and corrective actions taken or proposed.

Industrial wastewater discharge privileges may be granted only upon issuance of an Industrial Wastewater Permit and submittal of a Notice of Compliance and report documenting additional corrective actions taken by IU that full and permanent compliance with City's Ordinance will be maintained. (Note: Use this statement if appropriate)

Failure to comply with the requirements of this *Cease and Desist Discharge Order* will lead to escalated enforcement action such as severance and sealing of the sewer connection and/or termination of water service. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II



CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

\*

\*

IU Name

\*

CEASE AND DESIST

IU Address

\*

DISCHARGE

ORDER

\*

INDUSTRIAL USER NO. NONE

\*

\*

INDUSTRIAL WASTEWATER

\*

PERMIT NO. NONE

\*

\*

CASE NO. XXXXXX

\*

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, Bureau of Sanitation, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the Bureau of Sanitation, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the Bureau of Sanitation finds that IU is in violation of the conditions contained in Section(s) 64.30.C.1.(a) and 64.30.B.1.(X) of the City's Ordinance.

(Include all applicable LAMC Sections)

This finding is made on the basis of the following facts:

1. IU operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
2. The operations performed at IU, will subject IU and its discharge to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by EPA in 40 CFR 403 and 4XX;

(Use this statement if applicable)

- 46 3. Pursuant to the City's Ordinance, Section 64.30.C.1.(a), no  
47 person shall discharge industrial wastewater to the sanitary  
48 sewer system of the City of Los Angeles without permission as  
49 provided in an Industrial Wastewater Permit;  
50
- 51 4. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes  
52 it unlawful to introduce wastewater to the City's sewer system  
53 that exceeds listed specific pollutant limitations or other  
54 more restrictive limitations imposed by permit conditions or  
55 National Categorical Pretreatment Standards;  
56
- 57 5. Pursuant to the City's Ordinance, Section 64.30.B.1.(2)  
58 prohibits discharge of any liquids, solids or gases which by  
59 reason of their nature or quantity are flammable, reactive,  
60 corrosive, or by interaction with other materials could result  
61 in fire, explosion or injury;  
62
- 63 6. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(6)  
64 prohibits discharge of any material of sufficient quantity to  
65 interfere with any P.O.T.W. treatment plant process or to  
66 render any product thereof unsuitable for reclamation and  
67 reuse;  
68
- 69 7. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8), no  
70 person shall discharge to the P.O.T.W. any material which will  
71 cause the City to violate its NPDES Permit, applicable Federal  
72 and State statutes, rules or regulations;  
73
- 74 8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(7)  
75 prohibits discharge of any material in sufficient quantity to  
76 cause the P.O.T.W. to be in noncompliance with the biosolids  
77 use or disposal criteria, guidelines or regulations in  
78 connection with Section 405 of the Act, the Solid Waste  
79 Disposal Act (SWDA), the Clean Air Act, the Toxic Substance  
80 Control Act, the Marine Protection Research and Sanctuaries  
81 Act, or State criteria (including those contained in any state  
82 sludge management plan prepared pursuant to Title II of SWDA)  
83 applicable to the biosolids management method being used;  
84
- 85 9. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(14)  
86 prohibits discharge of any wastewater which constitutes a  
87 hazard or causes injury to human, animal, plant or fish life  
88 or creates a public nuisance.  
89  
90

- 91 10. Pursuant to the City's Ordinance, Section 64.30.F.9.(c) makes  
92 it unlawful for any person to violate any provision of the  
93 City's Ordinance;  
94  
95 11. On Date, IU was issued Notice of Violation No. XXXXXXXXX for  
96 violating Section 64.30.C.1.(a) of the City's Ordinance,  
97 discharging industrial/process wastewater to the sewer system  
98 without an Industrial Wastewater Permit.  
99 (Statements not applicable may be deleted from the order)

### FINDINGS OF VIOLATION

100  
101  
102  
103  
104  
105 City records show that IU violated the City's Ordinance in the  
106 following manner:

- 107  
108 1. IU is operating a facility involved in (process  
109 description) and discharges non-domestic wastewater  
110 containing pollutants, mainly constituents, to the  
111 sanitary sewer system of the City of Los Angeles without  
112 an Industrial Wastewater Permit;  
113  
114 2. On Date, City's Treatment Plant reported receiving high  
115 levels of constituents at the plant influent/ exceedances  
116 of its NPDES Permit discharge limitations for  
117 constituents on Dates/ interference in treatment plant  
118 process as a result of high concentrations of  
119 constituents received at the plant influent;  
120  
121 (Describe plant problem or use whichever applicable);  
122  
123 3. Continuous monitoring of the wastewater collection system  
124 within the City's Treatment Plant tributary area and the  
125 plant influent conducted by the City revealed that IU was  
126 the major discharger of constituent to the sewer system,  
127 which contributed to high levels of constituents at the  
128 City's Treatment Plant influent;  
129  
130 4. On Date, City personnel conducted an inspection of IU  
131 facility, which indicated that IU was discharging its  
132 process wastewater to the sewer system without any and/or  
133 adequate pretreatment to effectively control or reduce  
134 constituents in the discharge;  
135

5. Continuous monitoring conducted by the City from Date to Date at maintenance holes located immediately up-stream and down-stream of location/street address, which receives discharges from IU, indicated high concentrations of constituents;
6. Monitoring conducted by the City and the test results indicated that pollutants found in the samples taken at maintenance hole down-stream of location/street address had waste profile consistent to operations and processes applied by IU;
7. IU has discharged process wastewater which exceeded listed specific pollutants limitations set by Los Angeles Municipal Code (LAMC), Section 64.30.B.2.(a) and Hazardous Waste and Health and Safety limitations set by California Code of Regulations under Title 22;  
(Note: Use statements as applicable)
8. Results of monitoring conducted by the City are summarized in the following table. The data indicates highest levels of pollutants for each day obtained by samples taken during Date to Date monitoring period:

POLLUTANT CONCENTRATIONS (mg/l)

SAMPLE							
DATE	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
XXXXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
XXXXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
XXXXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
LAMC							
Inst.Max							
Limits:	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
Title 22							
STLC*	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX

\* Title 22 STLC = Soluble Threshold Limit Concentration

181                                   **CEASE AND DESIST DISCHARGE**  
182                                   **ORDER**

183  
184 THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU  
185 IS HEREBY ORDERED TO:  
186

187 1.    CEASE AND DESIST DISCHARGE OF INDUSTRIAL WASTEWATER  
188

189       Effective immediately, IU shall cease and desist from all  
190 further discharge of industrial/process wastewater to the  
191 City's sewer system.  
192

193 2.    SUBMIT REQUIRED INFORMATION  
194

195 A.    By three days from date of order, IU shall submit a  
196 notice indicating cessation of discharge of industrial  
197 wastewater into the City's sewer system and actions taken  
198 to achieve compliance with item 1 of this order.  
199

200 B.    The required notice shall be signed by an executive  
201 officer of IU and shall include the following statement:  
202

203       I certify under penalty of law that the above statement is true and that all industrial  
204 wastewater discharge to the City of Los Angeles sewer system has ceased. I am  
205 aware that there are significant penalties for submitting false information, including  
206 the possibility of fine and imprisonment for knowing violations.  
207

208 C.    The required notice shall be sent to the following  
209 address:  
210

211                   City of Los Angeles/Bureau of Sanitation  
212                   Industrial Waste Management Division  
213                   2714 Media Center Drive  
214                   Los Angeles, CA 90065  
215

216                   Attn: Staff Engineer  
217

218 D.    By Date, IU shall submit a completed Industrial  
219 Wastewater Permit Application with the required  
220 application fee of \$356.00 to the following address:  
221

222                   City of Los Angeles/Bureau of Sanitation  
223                   Industrial Waste Management Division  
224                   2714 Media Center Drive  
225                   Los Angeles, CA 90065  
226

227                   Attn: Inspection Section

228 IU'S RIGHTS AND RESPONSIBILITIES

- 229
- 230
- 231 1. IU shall be responsible for all cost recovery charges assessed
- 232 due to sampling, testing, inspection, engineering, and
- 233 administrative enforcement actions conducted as a result of
- 234 this order.
- 235
- 236 2. This order requires immediate cessation of all industrial
- 237 wastewater discharges by IU to the City's sewer system. The
- 238 City of Los Angeles reserves the right to seek any and all
- 239 remedies available to it, under subsections D and E of Section
- 240 64.30 of the City's Ordinance for any violations cited by, or
- 241 subsequent to this order.
- 242
- 243 3. Failure to comply with the terms of this order shall
- 244 constitute a further violation of the City's Ordinance and may
- 245 subject IU to civil or criminal penalties or such other
- 246 enforcement actions as may be appropriate.
- 247
- 248 4. Pursuant to the City's Ordinance, Section 64.30 E B (e), IU
- 249 has the right to have this matter heard before the Board of
- 250 Public Works. IU may file a request for a hearing, by
- 251 contacting the Permitting and Enforcement Environmental
- 252 Engineer at (323) 342-6098. Filing of such a request will not
- 253 stay the terms of this order; however it will provide IU with
- 254 the opportunity for a hearing before the Board. At the
- 255 conclusion of the hearing, the Board shall make a
- 256 determination whether to uphold or modify the terms of this
- 257 order or the Board may take other enforcement actions as
- 258 deemed necessary.
- 259
- 260

261 SIGNATORIES

262

263 This order takes effect upon signature.

264

265

266 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

267

268 [Manager Name]

269 Industrial Waste Management Division

270 Bureau of Sanitation

271 City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

**NOTICE OF TERMINATION OF ENFORCEMENT ACTION (ILLEGAL HARMFUL  
DISCHARGE WITHOUT INDUSTRIAL WASTEWATER PERMIT)**

On Date, IU was issued a Cease and Desist Discharge Order for discharging harmful industrial/process wastewater to the City of Los Angeles sewer system without an industrial wastewater permit. The order required IU to immediately cease all further industrial/process wastewater discharges to the sewer system and submit a notice of cessation of process water discharges to the sewer. Additionally, the order required IU to submit an Industrial Wastewater Discharge Permit application with applicable fee by Date.

On Date, IU submitted a notice declaring cessation of all IU's industrial wastewater discharges to the sewer system as of Date. (Use the following four paragraphs if IU applies and is issued an Industrial Wastewater Permit)

On Date, IU submitted the completed Permit application and the application fee required by the Cease and Desist Order.

On Date, City of Los Angeles, Industrial Waste Management Division, issued an Industrial Wastewater Permit No. W-XXXXXX to IU.

As a result, effective Date, IU is hereby notified of the termination of enforcement actions imposed by the Cease and Desist Order. IU, however, must maintain compliance with all conditions as stipulated in Industrial Wastewater Permit No. W-XXXXXX.

IU Name

- 2 -

Date

Be aware that any violations of Industrial Wastewater Permit No. W-XXXXXX may also subject IU to escalated enforcement action, including permit revocation. In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

*(Use the following two paragraphs if IU elects to become a Zero-Discharge)*

In lieu of obtaining an Industrial Wastewater Discharge Permit, IU has elected to permanently sever and seal its industrial wastewater discharge connection to the City sewer. IU has submitted copies of the permit for demolition/capping of its clarifier and/or industrial sewer connection and certificate/approval for completion of the work issued by the City of Los Angeles, Department of Building and Safety and other such documentation required by Industrial Waste Management Division to ensure that IU is no longer capable of discharging industrial wastewater to the City sewer.

Be aware that any violations of zero-discharge requirements and/or discharge of industrial/process wastewater to the Sewer system, without a valid Industrial Wastewater Permit will subject IU to escalated enforcement action such as severance and sealing of the sewer connection and/or termination of water service. In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.13, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of said violations.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II



**(Exhibit 3)**

**Cease and Desist Order  
for  
Illegal No Harm Discharge**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. NONE

Industrial Wastewater Permit No. NONE

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST ORDER (ILLEGAL NO HARM DISCHARGE  
WITHOUT INDUSTRIAL WASTEWATER PERMIT)

An inspection of IU by the City of Los Angeles, Bureau of Sanitation, Industrial Waste Management Division staff on Date indicated that IU was operating and discharging industrial/process wastewater to the City's sewer system without an Industrial Wastewater Permit.

As a result, on Date, IU was issued Notice of Violation No. XXXXXXXX for violating Section 64.30.C.1.(a) of the City's Ordinance, discharging process wastewater without an Industrial Wastewater Permit. Also, on Date, IU was provided with a copy of permit application and required to apply for an Industrial Wastewater Permit by Date.

IU has failed to submit the completed Permit Application by the Date deadline. As a result and pursuant to Section 64.30.C.1.(a) of the City's Ordinance, the attached Cease and Desist Order is hereby issued to IU. The order requires IU to submit the completed Permit Application (copy enclosed) and the application fee of \$510.00 by Date.

IU Name : - 2 - Date

Failure to comply with the requirements of this Cease and Desist Order will lead to escalated enforcement action such as severance and sealing of the sewer connection and/or termination of water service. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.01, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

1 CITY OF LOS ANGELES  
2 DEPARTMENT OF PUBLIC WORKS  
3 BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION  
4

5 IN THE MATTER OF

7 IU Name

8 IU Address

11 INDUSTRIAL USER NO. NONE

13 INDUSTRIAL WASTEWATER

14 PERMIT NO. NONE

16 CASE NO. XXXXXX

\*  
\*  
\* CEASE AND DESIST  
\* ORDER  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

19 LEGAL AUTHORITY

20  
21 The following findings and order are made pursuant to authority  
22 vested in the Director, Bureau of Sanitation, under Section 64.30  
23 of the Los Angeles Municipal Code (hereinafter referred to as the  
24 City's Ordinance), and rules and regulations adopted by the Board  
25 of Public Works pursuant thereto. This authority has been delegated  
26 by the Director to the Manager of the Bureau of Sanitation,  
27 Industrial Waste Management Division.  
28

29 FACTS

30  
31 The Manager of the Industrial Waste Management Division of the  
32 Bureau of Sanitation finds that IU is in violation of Section  
33 64.30.C.1.(a) of the City's Ordinance.  
34

35 This finding is made on the basis of the following facts:

- 36  
37 1. IU operates a facility involved in (process description) and  
38 discharges non-domestic wastewater containing pollutants to  
39 the sanitary sewer system of the City of Los Angeles;  
40  
41 2. Pursuant to the City's Ordinance, Section 64.30.C.1.(a), no  
42 person shall discharge industrial wastewater to the sanitary  
43 sewer system of the City of Los Angeles without permission as  
44 provided in an Industrial Wastewater Permit;  
45

- 46 3. Pursuant to the City's Ordinance, Section 64.30.D.2, the Board  
47 shall require payment of an initial fee of \$510.00 for each  
48 application for an Industrial Wastewater Permit. No permit  
49 shall be deemed valid until the initial fee has been duly paid  
50 and received by the City;  
51
- 52 4. On Date, IU was inspected by the City of Los Angeles,  
53 Industrial Waste Management Division staff and was provided  
54 with a copy of permit application for an Industrial Wastewater  
55 Permit. IU was required to submit the completed permit  
56 application and the initial fee by Date;  
57
- 58 5. On Date, IU was inspected/revisited by the City staff and was  
59 issued Notice of Violation No. XXXXXXXX for discharging  
60 process wastewater to the City's sewer system without an  
61 Industrial Wastewater Permit and failure to submit Permit  
62 Application by the (Date) deadline;  
63
- 64 6. Pursuant to the City's Ordinance, Section 64.30.F.9(a) makes  
65 it unlawful for any person to violate any provision of the  
66 City's Ordinance.  
67
- 68 (Note: Statements not applicable may be deleted from the order)

69 FINDINGS OF VIOLATION

70  
71  
72 City records show that IU violated the City's Ordinance in the  
73 following manner:  
74

- 75 1. IU is operating/continues to operate a facility involved  
76 in (process description) and discharges non-domestic  
77 wastewater containing pollutants to the sanitary sewer  
78 system of the City of Los Angeles without an Industrial  
79 Wastewater Permit.  
80  
81 2. IU has failed to submit a completed Industrial Wastewater  
82 Permit application with the required application fee by  
83 the Date deadline required by the Notice of Violation No.  
84 XXXXXXXXX issued to IU on Date for violating Section  
85 64.30.C.1.(a) of the City's Ordinance, discharging  
86 industrial wastewater without an Industrial Wastewater  
87 Permit.

88 CEASE AND DESIST ORDER

89  
90 THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU  
91 IS HEREBY ORDERED TO:

92  
93  
94 1. SUBMIT PERMIT APPLICATION AND APPLICATION FEE

95  
96 By Date, IU shall submit a completed Industrial Wastewater  
97 Permit application with the required application fee of  
98 \$356.00 to the following address:

99  
100 *City of Los Angeles/Bureau of Sanitation*  
101 *Industrial Waste Management Division*  
102 *2714 Media Center Drive*  
103 *Los Angeles, CA 90065*

104  
105 Attn: Inspection Section  
106

107 IU'S RIGHTS AND RESPONSIBILITIES

- 108
- 109
- 110 1. IU shall be responsible for all cost recovery charges assessed
- 111 due to sampling, testing, inspection, engineering, and
- 112 administrative enforcement actions conducted as a result of
- 113 this order.
- 114
- 115 2. Failure to comply with the terms of this order shall
- 116 constitute a further violation of the City's Ordinance and may
- 117 subject IU to civil or criminal penalties or such other
- 118 enforcement actions as may be appropriate.
- 119
- 120 3. Pursuant to the City's Ordinance, Section ~~64.30 E.B.C(e)~~, IU
- 121 has the right to have this matter heard before the Board of
- 122 Public Works. IU may file a request for a hearing, by
- 123 contacting the Permitting and Enforcement Environmental
- 124 Engineer at (323) 342-6098. Filing of such a request will not
- 125 stay the terms of this order; however it will provide IU with
- 126 the opportunity for a hearing before the Board. At the
- 127 conclusion of the hearing, the Board shall make a
- 128 determination whether to uphold or modify the terms of this
- 129 order or the Board may take other enforcement actions as
- 130 deemed necessary.
- 131
- 132

133 SIGNATORIES

134

135 This order takes effect upon signature.

136

137

138 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

139

140 [Manager Name]

141 Industrial Waste Management Division

142 Bureau of Sanitation

143 City of Los Angeles



Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (ILLEGAL NO HARM  
DISCHARGE WITHOUT INDUSTRIAL WASTEWATER PERMIT)

On Date, IU was issued a Cease and Desist Order for discharging industrial wastewater to the City of Los Angeles sewer system without an industrial wastewater permit. The order required IU to submit a Permit Application with application fee by Date.

On Date, IU submitted the completed permit application and the application fee required by the Cease and Desist Order.

On Date, IU was issued Industrial Wastewater Permit No. W-XXXXXX.

As a result, effective Date, IU is hereby notified of the termination of enforcement actions imposed by the Cease and Desist Order. IU, however, must maintain compliance with all conditions as stipulated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any violations of Industrial Wastewater Permit No. W-XXXXXX may also subject IU to escalated enforcement action, including permit revocation.

IU Name - 2 - Date

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact staff engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

**EXHIBIT 4**

**CONSENT ORDER  
DOCUMENTS**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXXX

Industrial Wastewater Permit No. W-XXXXXXX

Case No. XXXXXXX

#### ISSUANCE OF CONSENT ORDER FOR REVIEW AND SIGNATURE

A Compliance Meeting was held on Date with IU and Bureau of Sanitation, Industrial Waste Management Division staff. At this meeting, IU's compliance history and the violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXXX was discussed.

(Discuss briefly IU's violations, NOVs issued and IU's response-if any)

In addition to reviewing IU's violations, the Draft Consent/Compliance Order, proposed on Date, was discussed at the meeting. (Include this statement if a Draft Order was issued and/or discussed in the meeting)

IU expressed its good faith intentions to take any and all such corrective actions necessary to achieve compliance at the earliest possible date and agreed to enter into a Consent Order with the City of Los Angeles. As a result, the attached Consent Order has been prepared in lieu of finalizing the Compliance Order/is being finalized. (Use whichever appropriate)

IU Name - 2 - Date

By 10 days from date of letter, please review and return both copies of the original documents, signed by an executive officer of IU, to the following address:

City of Los Angeles/Bureau of Sanitation  
Industrial Waste Management Division  
2714 Media Center Drive  
Los Angeles, CA 90065

Attn: Staff Engineer

Once the Consent Order is signed by IU, the City will sign the order and send a copy to IU. The Consent Order does not become effective until both parties sign.

Be aware that compliance with the terms of this Consent Order shall not relieve IU from its obligation to comply with Industrial Wastewater Permit No. W-XXXXXX, which remains in full force and effect. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXXX

Industrial Wastewater Permit No. W-XXXXXXX

Case No. XXXXXXX

ISSUANCE OF FINAL CONSENT ORDER

Enclosed please find a signed copy of the Consent Order. This order shall become effective as of Date.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

CONSENT ORDER

LEGAL AUTHORITY

WHEREAS, the City of Los Angeles, Bureau of Sanitation pursuant to the powers, duties, and responsibilities vested in and imposed upon the Director and delegated to the Manager of the Industrial Waste Management Division by provisions of Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), has determined the following:

1. The City has implemented a pretreatment program to protect its wastewater treatment plants, which can be adversely impacted by discharges from industrial users, including IU, if such discharges are not properly controlled;
2. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
3. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;
4. IU is classified under Categorical/Non-Categorical Significant Industrial User (CIU/NCSIU) Group SIXX with an average industrial wastewater flow of XXXX gpd;  
(Use IU classification as appropriate)
5. IU operates a facility involved in (description of process) and discharges non-domestic wastewater containing

pollutants to the sanitary sewer system of the City of Los Angeles;

6. IU is a "significant industrial user" as defined by Part 403.B.(v)(1)(i) [Use (ii) if IU is NCSIU] of Title 40 of the Code of Federal Regulations (40 CFR), and is subject to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by EPA in 40 CFR 403 and 4XX. (Only use highlighted portion and two sections below if IU is Categorical)

7. Pursuant to 40 CFR 4XX, any (existing/new source - describe process) operation, discharging less/more than 10,000 gallons a day (413 only), must comply with the daily maximum and monthly/4-day (413 only) average discharge limits for (list federally regulated parameters) set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);

8. Pursuant to 40 CFR 4XX, any (existing/new source - describe process) operation must also comply with the daily maximum limit for **total toxic organics** set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);

9. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollution Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;

10. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions or National Categorical Pretreatment Standards;

(Use highlighted portion if IU is Categorical)

11. Pursuant to the City's Ordinance, Section 64.30.B.9.(c) makes it unlawful for any person to violate any provision of the City's Ordinance or any term or condition of any permit issued pursuant thereto; and

12. Pursuant to the City's Ordinance and above referenced permit, data has been routinely collected or submitted on the compliance status of IU.



FACTS

95  
96  
97

- 98 1. **IU** has failed to achieve compliance with conditions  
99 contained in Industrial Wastewater Permit No. **W-XXXXXX**; and  
100  
101 2. At a Compliance Meeting held on **Date** with **IU** and Industrial  
102 Waste Management Division staff, **IU** agreed to take any and  
103 all necessary corrective actions to achieve consistent  
104 compliance and enter into a Consent Order with the City of  
105 Los Angeles.

106 CONSENT ORDER

107  
108  
109 Therefore, to ensure that IU is brought into compliance at the  
110 earliest possible date, IT IS HEREBY AGREED AND ORDERED, BETWEEN  
111 IU AND THE MANAGER OF THE INDUSTRIAL WASTE MANAGEMENT DIVISION  
112 FOR THE CITY OF LOS ANGELES, THAT IU SHALL:

113  
114 1. SUBMIT ENGINEERING PLAN

115  
116 By 30 days from date of order, IU shall submit an  
117 engineering plan. This plan shall outline the steps to be  
118 taken to maintain consistent and permanent compliance and  
119 shall include the following:

- 120  
121 A. A detailed description of the proposed pretreatment  
122 system; including, design criteria, chemistry of  
123 treatment, process flow diagram, equipment to be  
124 installed, and any construction, additions, or  
125 modifications to be implemented;  
126  
127 B. A cost estimate for all corrective actions to be  
128 implemented including a breakdown of capital and labor  
129 expenses for major items of the work;  
130  
131 C. A description of operation and maintenance procedures  
132 to be implemented; and  
133  
134 D. A schedule of compliance, not to extend beyond 90/120  
135 days from date of order, that includes the following  
136 dates:  
137  
138 (1) The beginning and ending dates of any  
139 construction or installation of equipment; and  
140 (2) The date's new operation and maintenance  
141 procedures will take effect.  
142

143 2. IMPLEMENT ENGINEERING PLAN

144  
145 By 60/90 days from date of order, IU shall complete the  
146 installation of all pretreatment equipment and other  
147 construction, additions, or modifications as outlined in  
148 the engineering plan.  
149

150 3. SUBMIT POLLUTION PREVENTION PLAN

- 151  
152 A. By 30 days from date of order, IU shall submit a  
153 pollution prevention plan. This plan shall evaluate  
154 the following pollution prevention/source reduction  
155 technologies:

- 156  
157 (1) Wastewater flow reduction  
158 (2) Raw material changes to avoid or eliminate  
159 pollutants that enter wastestreams  
160 (3) Improving operational practices including,  
161 but not limited to, recycling loss  
162 prevention, waste segregation, production  
163 scheduling, maintenance operations, and  
164 overall site management  
165 (4) Process changes or equipment modifications,  
166 to reduce the usage and production of  
167 hazardous wastestreams  
168 (5) Recovery and re-use of generated  
169 wastestreams  
170

171 B. The plan shall also address management issues such as  
172 inventory control, employee training, in-house  
173 policies, increasing supervisory teams, corporate or  
174 management commitment, and other programs or measures  
175 to improve waste management practices.  
176

177 C. Those items selected for implementation shall be  
178 identified along with the following information:

- 179 (1) Schedule of implementation  
180 (2) Estimate of capital cost  
181 (3) Estimate of annual cost savings  
182 (4) Justification for options not selected  
183

184 4. IMPLEMENT POLLUTION PREVENTION PLAN  
185

186 By 60/90 days from date of order, IU shall complete all  
187 pollution prevention and source control procedures as  
188 outlined in the pollution prevention plan.  
189

190 5. CONDUCT ADDITIONAL SELF-MONITORING  
191

192 A. Once per month/In the first and third week of each  
193 month, beginning Date of order, until the engineering  
194 and pollution prevention plans are fully implemented,  
195 IU shall collect 24-hour composite samples of its  
196 discharge and analyze for (list all applicable  
197 federally and locally regulated parameters) and  
198 collect grab samples of its discharge and analyze for  
199 (list all applicable federally and locally regulated  
200 parameters).  
201

202 B. Once per week, following complete implementation of  
203 the engineering and pollution prevention plans,

beginning Date, for a period of four weeks, IU shall collect 24-hour composite samples of its discharge and analyze for (list all applicable federally and locally regulated parameters) and collect grab samples of its discharge and analyze for (list all applicable federally and locally regulated parameters).

C. Grab samples for total toxic organics shall be analyzed for all reasonably expected constituents listed in Industrial Wastewater Permit No. W-XXXXXX.

[Use this statement only if TTO violations have occurred]

D. All sample analyses shall be performed by an independent laboratory using EPA approved analytical methods and shall be representative of discharge to the sewer.

E. All samples shall be taken from Sample Point XX, (description of the sample point).

F. IU shall prenotify the SIU Inspection Group at (323) 342-6200, 48 hours prior to any self-monitoring performed.

G. All self-monitoring performed as required by this order shall be reported on IU's periodic self-monitoring report form.

H. If results of any sample analysis indicate exceedences of discharge standards, IU shall notify the SIU Inspection Group at (323) 342-6200 within 24 hours of becoming aware of the violation.

## 6. SUBMIT OPERATION AND MAINTENANCE MANUAL

By 105/135 days from date of order, IU shall submit an Operation and Maintenance Manual which includes the following documentation:

- (1) Design Considerations
- (2) Waste/Wastewater Sources
- (3) Chemistry of Treatment
- (4) Wastewater Treatment Process Flow Diagram
- (5) Pretreatment Unit Operation Procedures
- (6) Chemical Preparations
- (7) Troubleshooting
- (8) Manufacturer's Literature
- (9) Daily Logbook

254 7. SUBMIT REQUIRED INFORMATION AND REPORTS

255  
256 A. IU shall submit all self-monitoring results required  
257 by this order no later than the 15th day of the month  
258 following the date of sampling, as described in the  
259 attached/compliance schedule.

260  
261 B. IU shall submit a monthly progress report no later  
262 than the 15th day of the month following the month  
263 covered by the report, as described in the  
264 attached/compliance schedule. The progress reports  
265 shall include a notice of compliance/noncompliance  
266 regarding any increment of progress, which was to be  
267 met within that month.

268  
269 C. In the event IU fails to comply with any of the dates  
270 specified in the Consent Order or the attached  
271 schedule, IU shall, within one day of the compliance  
272 schedule date, notify the City in writing. This  
273 notice shall describe the reasons for IU's failure to  
274 comply, the additional amount of time needed to  
275 complete the remaining work, and the steps to be taken  
276 to avoid future delays. This notification in no way  
277 excuses IU from its responsibility to meet any later  
278 milestones required by this order.

279  
280 D. Every submittal required by this Consent Order,  
281 excluding enforcement self-monitoring reports, shall  
282 be sent to the following address:

283  
284 City of Los Angeles/Bureau of Sanitation  
285 Industrial Waste Management Division  
286 2714 Media Center Drive  
287 Los Angeles, CA 90065  
288 Attn: Staff Engineer  
289

290 E. IU shall submit all self-monitoring reports, including  
291 periodic and enforcement self-monitoring reports, to  
292 the following address:

293  
294 City of Los Angeles/Bureau of Sanitation  
295 Industrial Waste Management Division  
296 2714 Media Center Drive  
297 Los Angeles, CA 90065  
298 Attn: Information Systems Support Squad  
299  
300

301 8. MAINTAIN CONSISTENT COMPLIANCE

302

303 A. By 90/120 days from date of order, achieve full and  
304 permanent compliance with all provisions of the City's  
305 Ordinance and IU's Industrial Wastewater Permit No.  
306 W-XXXXXX.

307

308 B. By 105/135 days from date of order, submit a final  
309 notice of compliance with the terms of this Consent  
310 Order.

311 IU'S RESPONSIBILITIES

- 312
- 313 1. Compliance with the terms and conditions of this order
- 314 shall not be construed to relieve IU of its obligation to
- 315 comply with its industrial wastewater permit which remains
- 316 in full force and effect. The City reserves the right to
- 317 seek any and all remedies available to it under Section
- 318 64.30 E of the City's Ordinance.
- 319
- 320 2. Violation of the terms and conditions of this order shall
- 321 constitute a further violation of Section 64.30 of the
- 322 City's Ordinance and may subject IU to enforcement actions
- 323 as may be appropriate.
- 324
- 325 3. Nothing in this order shall be construed to limit any
- 326 authority of the City to issue any other orders or take any
- 327 other action deemed necessary.
- 328
- 329 4. IU shall be responsible for all cost recovery charges
- 330 assessed due to sampling, testing, inspection, engineering,
- 331 and administrative enforcement actions conducted as a
- 332 result of this order.
- 333

334 SIGNATORIES

335

336 This order shall become effective on 10 days from date of cover

337 letter for this order contingent upon signature of both parties.

338

339 FOR IU:

340

341

342 \_\_\_\_\_

343 signature

342 \_\_\_\_\_

343 date

344

345 \_\_\_\_\_

346 print name

344

345 \_\_\_\_\_

346 title

347

348 FOR CITY OF LOS ANGELES:

349

350

351 \_\_\_\_\_

352 date

352 [Manager Name]

353 Industrial Waste Management Division

354 Bureau of Sanitation

355 City of Los Angeles

## CONSENT ORDER SCHEDULE

IU NAME

IU ADDRESS

INDUSTRIAL USER NO. IXXXXXXX

INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

### CONSENT ORDER REQUIREMENTS

### DUE DATE

- |   |                        |
|---|------------------------|
| 1. Submit Engineering Plan                            | Month day, year        |
| 2. Implement Engineering Plan                         | Month day, year        |
| 3. Submit Pollution Prevention Plan                   | Month day, year        |
| 4. Implement Pollution Prevention Plan                | Month day, year        |
| 5. Submit Operation and Maintenance Manual            | Month day, year        |
| 6. Submit Enforcement Self-Monitoring Reports (SMRs): |                        |
| For Month day, year to Month day, year                | Month day, year        |
| For Month day, year to Month day, year                | Month day, year        |
| For Month day, year to Month day, year                | Month day, year        |
| For Month day, year to Month day, year                | Month day, year        |
| For Month day, year to Month day, year                | Month day, year        |
| 7. Submit Monthly Progress Reports:                   |                        |
| 1st report for Month year                             | Month day, year        |
| 2nd report for Month year                             | Month day, year        |
| 3rd report for Month year                             | Month day, year        |
| 4th report for Month year                             | Month day, year        |
| 5th report for Month year                             | Month day, year        |
| 8. <u>Final Compliance Deadline</u>                   | <u>Month day, year</u> |
| 9. Submit Final Notice of Compliance                  | Month day, year        |



Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (CONSENT ORDER)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other Consent Order requirements have been duly noted by the Bureau of Sanitation. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation.

IU Name - 2 - Date

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

## **EXHIBIT 5**

# **COMPLIANCE ORDER DOCUMENTS**

**(Exhibit 5)**

**Compliance Order**

**Categorical Industrial User**

**(CIU)**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF COMPLIANCE MEETING (CIU)

A review of IU's compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

*(Discuss IU's violations and NOVs issued to IU)*

As a result, IU is hereby required to attend a Compliance Meeting with the Bureau of Sanitation, Industrial Waste Management Division. Attached is a Draft Compliance Order requiring IU to take necessary corrective actions and achieve consistent compliance with all conditions of Industrial Wastewater Permit No. W-XXXXXX. This order is proposed to ensure that compliance with all local and federal pretreatment standards is achieved and maintained.

The Compliance Meeting will be held on Day, Date at time in the Industrial Waste Management Division headquarters located at 2714 Media Center Drive, Los Angeles, CA. The meeting will be informal in nature and must be attended by IU's management and operations staff. IU should be prepared to present a plan of corrective actions and installation of any necessary

IU Name

- 2 -

Date

pretreatment equipment to ensure that full and permanent compliance will be achieved and maintained.

At the conclusion of the meeting, the City will make a determination whether to modify the order based on the information presented, or to issue the order as proposed.

Failure to attend the Compliance Meeting will result in final issuance of the Compliance Order without discussion with IU. In addition, failure to achieve compliance will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation.

To confirm attendance of the scheduled Compliance Meeting, or if there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF COMPLIANCE ORDER (CIU)

A Compliance Meeting was held on Date with Bureau of Sanitation, Industrial Waste Management Division staff and IU to discuss IU's noncompliance with conditions of Industrial Wastewater Permit No. W-XXXXXX and the proposed Compliance Order issued on Date.

At this meeting, IU's proposal of corrective actions was discussed.

*(Discuss specifics of IU's proposal)*

It is the Bureau's decision that these corrective actions must be taken by IU. Therefore, the attached Compliance Order is hereby issued and finalized.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Compliance Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the

IU Name

- 2 -

Date

City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation.

In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II



CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

COMPLIANCE  
ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, Bureau of Sanitation, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the Bureau of Sanitation, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the Bureau of Sanitation finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;

2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;  
(Use this statement if applicable)

- 45 3. IU is classified under Categorical Industrial User (CIU)  
46 Group SIXX with an average industrial wastewater flow of  
47 XXXX gpd;  
48
- 49 4. IU operates a facility involved in (process description)  
50 and discharges non-domestic wastewater containing  
51 pollutants to the sanitary sewer system of the City of Los  
52 Angeles;  
53
- 54 5. IU is a "significant industrial user" as defined by Part  
55 403.3(v)(1) of Title 40 of the Code of Federal  
56 Regulations (40 CFR) and is subject to general pretreatment  
57 standards and National Categorical Pretreatment Standards  
58 as promulgated by the EPA in 40 CFR 403 and 4XX;  
59
- 60 6. Pursuant to 40 CFR 4XX, any existing/new source - describe  
61 process operation, discharging less/more than 10,000  
62 gallons a day (413 only), must comply with the daily  
63 maximum and monthly average/4-day (413 only) discharge  
64 limits for (list all federally regulated parameters) set  
65 forth in 40 CFR 4XX by the (Date, final compliance  
66 deadline/within 90 days of commencement of discharge);  
67
- 68 7. Pursuant to 40 CFR 4XX, any existing/new source - describe  
69 process operation must also comply with the daily maximum  
70 discharge limit for total toxic organics set forth in 40  
71 CFR 4XX by the (Date, final compliance deadline/within 90  
72 days of commencement of discharge);  
73
- 74 8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)  
75 prohibits the discharge of any material which will cause  
76 the City to violate its National Pollution Discharge  
77 Elimination System Permits, applicable Federal and State  
78 statutes, rules, or regulations;  
79
- 80 9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a)  
81 makes it unlawful to introduce wastewater to the City's  
82 sewer system that exceeds listed specific pollutant  
83 limitations or other more restrictive limitations imposed  
84 by permit conditions or National Categorical Pretreatment  
85 Standards;  
86
- 87 10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c)  
88 makes it unlawful for any person to violate any provision  
89 of the City's Ordinance or any term or condition of any  
90 permit issued pursuant thereto; and  
91

92 11. Pursuant to the City's Ordinance and above referenced  
93 permit, data has been routinely collected or submitted on  
94 the compliance status of IU.

## FINDINGS OF VIOLATION

City Records show that IU violated its permit conditions and the City's Ordinance in the following manner:

1. IU has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day(413 only) average discharge standards number (#) times for a total of number (#) days of violation, as shown below.

### DISCHARGE LIMITS VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
-------------	-------------	------------	---------------	--------------	----------------	------	------

	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

POTW-G	-	Grab Sample collected by the City
POTW-C	-	Composite Sample collected by the City
IU-G	-	Grab Sample collected by IU
IU-C	-	Composite Sample collected by IU
CPS	-	Average of Combined City and IU Results
IM	-	Instantaneous Maximum (Local Limit, LAMC 64.30)
DM	-	Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
MA	-	Monthly Average (Pretreatment Stds, 40 CFR 4XX)
4D	-	4 Day Average (Pretreatment Stds, 40 CFR 413)
NOV#	-	Notice of Violation Number

(Note: Abbreviations not used may be deleted from the order)

2. IU violated reporting requirements, as shown below.

### REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
------------------	----------	----------------	------

MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXX
----------------	---------------	----	-------

FS	-	Failure to Submit Self-Monitoring Report
DS	-	Delinquent Self-Monitoring Report
IS	-	Incomplete Self-Monitoring Report
FES	-	Failure to Submit Enforcement Self-Monitoring Report
FAO	-	Failure to Submit (Type of Admin. Order Report)
FPI	-	Failure to Submit Permitting Information
NOV#	-	Notice of Violation Number

144 (Note: Abbreviations not used may be deleted from the  
145 order)  
146 3. IU has exceeded criteria for significant noncompliance as  
147 defined in 40 CFR 403.8(f)(2)(vii).  
148 (Use this section if applicable)  
149

**FINDINGS OF VIOLATION SUBSEQUENT  
TO ISSUANCE OF CEASE AND DESIST ORDER**

Based upon the above Findings of Violation, IU was issued a Cease and Desist Order on Date requiring that consistent compliance be achieved and maintained by Date. As part of this order, IU was required to conduct additional self-monitoring. Multi-day sampling of IU's discharge was also performed by the City from period of time.

This data shows that IU has continued to violate the City's Ordinance and the terms of the Cease and Desist Order in the following manner:

1. IU has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day(413 only) average discharge standards subsequent to issuance of the Cease and Desist Order number (#) times for a total of number (#) days of violation, as shown below.

**CEASE AND DESIST ORDER  
DISCHARGE LIMITS VIOLATIONS**

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
----------------	----------------	----------------	------------------	-----------------	-------------------	------	------

	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

[Note: list violations which have occurred during the term of the Cease and Desist Order.]

POTW-G	-	Grab Sample collected by the City
POTW-C	-	Composite Sample collected by the City
IU-G	-	Grab Sample collected by IU
IU-C	-	Composite Sample collected by IU
CPS	-	Average of Combined City and IU Results
IM	-	Instantaneous Maximum (Local Limit, LAMC 64.30)
DM	-	Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
MA	-	Monthly Average (Pretreatment Stds, 40 CFR 4XX)
4D	-	4-Day Average (Pretreatment Stds, 40 CFR 413)
NOV#	-	Notice of Violation Number

(Note: Abbreviations not used may be deleted from the order)

195 2. IU has violated its reporting requirements during the term  
196 of the Cease and Desist Order, as shown below.

197  
198 CEASE AND DESIST ORDER  
199 REPORTING VIOLATIONS  
200  
201 REPORTING DUE VIOLATION  
202 PERIOD DATE TYPE NOV#  
203

204 MONTH-MONTH YR MONTH DAY, YR FS XXXXX  
205

206 FS - Failure to Submit Self-Monitoring Report  
207 DS - Delinquent Self-Monitoring Report  
208 IS - Incomplete Self-Monitoring Report  
209 FES - Failure to Submit Enforcement Self-Monitoring Report  
210 FAO - Failure to Submit (Type of Admin. Order Report)  
211 FPI - Failure to Submit Permitting Information  
212 NOV# - Notice of Violation Number

213 (Note: Abbreviations not used may be deleted from the  
214 order)  
215

216 Based upon the above Findings of Violation, IU is/was required  
217 to attend a Compliance Meeting with City staff on Date to  
218 discuss the issue of noncompliance with the Cease and Desist  
219 Order requirements/permit conditions and further corrective  
220 actions to be taken such that full and permanent compliance  
221 would be achieved.

222 (Use whichever applicable/appropriate)

## COMPLIANCE ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION,  
IU IS HEREBY ORDERED TO:

### 1. ACHIEVE INTERIM COMPLIANCE

- A. By 30 days from date of order, IU shall take appropriate corrective actions necessary to achieve interim compliance with discharge standards stipulated in Industrial Wastewater Permit No. W-XXXXXX.
- B. By 45 days from date of order, IU shall submit a notice indicating whether compliance has been achieved and describing actions taken in response to item 1.A of this order.

### 2. MAINTAIN CONSISTENT COMPLIANCE

By 90/120 days from date of order, IU shall take all corrective actions necessary such that IU's wastewater discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.

[Note: if 120 day deadline is applied, all other later date options must also be applied.]

### 3. SUBMIT ENGINEERING PLAN

By 30 days from date of order, IU shall submit an engineering plan. This plan shall outline the steps to be taken to maintain consistent and permanent compliance and shall include the following:

- A. A detailed description of the proposed pretreatment system; including, design criteria, chemistry of treatment, process flow diagram, equipment to be installed, and construction or modifications to be implemented;
- B. A cost estimate for all corrective actions to be implemented including a breakdown of capital and labor expenses for major items of the work;
- C. A description of operation and maintenance procedures to be implemented; and



D. A schedule of compliance, not to exceed beyond 90/120 days from date of order, that includes the following dates:

- (1) The beginning and ending dates of any construction or installation of equipment; and
- (2) The dates new operation and maintenance procedures will take effect.

4. IMPLEMENT ENGINEERING PLAN

By 60/90 days from date of order, IU shall complete the installation of all pretreatment equipment and other construction, additions, or modifications as outlined in the engineering plan.

5. SUBMIT POLLUTION PREVENTION PLAN

A. By 30 days from date of order, IU shall submit a pollution prevention plan. This plan shall evaluate the following pollution prevention/source reduction technologies:

- (1) Wastewater flow reduction;
- (2) Raw material changes to avoid or eliminate pollutants that enter wastestreams;
- (3) Improving operational practices including, but not limited to, recycling loss prevention, waste segregation, production scheduling, maintenance operations and overall site management;
- (4) Process changes or equipment modifications to reduce the usage and production of hazardous wastestreams; and
- (5) Recovery and re-use of the generated wastestreams;

B. The plan shall also address management issues such as inventory control, employee training, in-house policies, increasing supervisory teams, corporate or management commitment, and other programs or measures to improve waste management practices.

C. Those items selected for implementation shall be identified along with the following information:

- (1) Schedule of implementation
- (2) Estimate of capital cost

- 315 (3) Estimate of annual cost savings  
316 (4) Justification for options not selected  
317

318 6. IMPLEMENT POLLUTION PREVENTION PLAN  
319

320 By 60/90 days from date of order, IU shall complete all  
321 pollution prevention and source control procedures as  
322 outlined in the pollution prevention plan.  
323

324 7. CONDUCT ADDITIONAL SELF-MONITORING  
325

326 A. Once per month/In the first and third week of each  
327 month, beginning Date of order, until the engineering  
328 and pollution prevention plans are fully implemented,  
329 IU shall collect 24-hour composite samples of its  
330 discharge and analyze for (list all applicable  
331 federally and locally regulated parameters) and  
332 collect grab samples of its discharge and analyze for  
333 (list all applicable federally and locally regulated  
334 parameters).  
335

336 B. Once per week, following complete implementation of  
337 the engineering and pollution prevention plans,  
338 beginning Date, for a period of four weeks, IU shall  
339 collect 24-hour composite samples of its discharge and  
340 analyze for (list all applicable federally and locally  
341 regulated parameters) and collect (number) grab  
342 samples of its discharge and analyze for (list all  
343 applicable federally and locally regulated  
344 parameters).  
345

346 C. Grab samples for total toxic organics shall be  
347 analyzed for all reasonably expected constituents  
348 listed in Industrial Wastewater Permit No. W-XXXXXX.  
349 [Note: use this statement only if TTO violations have  
350 occurred]  
351

352 D. All sample analyses shall be performed by an  
353 independent laboratory using EPA approved analytical  
354 methods and shall be representative of discharge to  
355 the sewer.  
356

357 E. All samples shall be taken from Sample Point XX,  
358 (description of the sample point).  
359

360 F. IU shall prenotify the SIU Inspection Group at (323)  
361 342-6200, 48 hours prior to any self-monitoring  
362 performed.  
363

364 G. All self-monitoring performed as required by this  
365 order shall be reported on IU's periodic self-  
366 monitoring report form.

367 H. If results of any sample analysis indicate exceedences  
368 of discharge standards, IU shall notify the SIU  
369 Inspection Group at (323) 342-6200 within 24 hours of  
370 becoming aware of the violation.  
371

372 8. SUBMIT OPERATION AND MAINTENANCE MANUAL  
373

374 By 105/135 days from date of order, IU shall submit an  
375 Operation and Maintenance Manual which includes the  
376 following documentation:  
377

- 378 (1) Design Considerations
- 379 (2) Waste/Wastewater Sources
- 380 (3) Chemistry of Treatment
- 381 (4) Wastewater Treatment Process Flow Diagram
- 382 (5) Pretreatment Unit Operation Procedures
- 383 (6) Chemical Preparations
- 384 (7) Troubleshooting
- 385 (8) Manufacturer's Literature
- 386 (9) Daily Logbook  
387  
388

389 9. SUBMIT REQUIRED INFORMATION AND REPORTS  
390

391 A. IU shall submit all self-monitoring results required  
392 by this order no later than the 15th day of the month  
393 following the date of sampling, as described in the  
394 attached/compliance schedule.  
395

396 B. IU shall submit monthly progress reports no later than  
397 the 15th day of the month following the month covered  
398 by the report, as described in the attached/compliance  
399 schedule. The progress reports shall include a notice  
400 of compliance/noncompliance regarding any increment of  
401 progress, which was to be met within that month. In  
402 the event IU fails to comply with any of the dates  
403 specified in the schedule of compliance, IU shall  
404 describe the reasons for failure to comply, the

405 additional amount of time needed to complete the  
406 remaining work, and the steps to be taken to avoid  
407 future delays. This in no way excuses IU from its  
408 responsibility to meet any later milestones as  
409 specified in the compliance schedule.  
410

- 411 C. Every submittal shall be signed by an executive  
412 officer of IU and shall include the following  
413 statement:

414 I certify under penalty of law that this document and all attachments were prepared  
415 under my direction or supervision in accordance with a system designed to assure  
416 that qualified personnel properly gather and evaluate the information submitted.  
417 Based on my inquiry of the person or persons who manage the system, or those  
418 persons directly responsible for gathering the information, I certify that all  
419 information is true and all wastewater samples analyzed and reported herein are  
420 representative of the ordinary process wastewater flow from this facility. I am  
421 aware that there are significant penalties for submitting false information,  
422 including the possibility of fine and imprisonment for knowing violations.  
423

- 424 D. Every submittal required by this Compliance Order,  
425 excluding enforcement self-monitoring reports, shall  
426 be sent to the following address:  
427

428 City of Los Angeles/Bureau of Sanitation  
429 Industrial Waste Management Division  
430 2714 Media Center Drive  
431 Los Angeles, CA 90065  
432

433 Attn: Staff Engineer  
434

- 435 E. IU shall submit all self-monitoring reports, including  
436 periodic and enforcement self-monitoring reports, to  
437 the following address:  
438

439 City of Los Angeles/Bureau of Sanitation  
440 Industrial Waste Management Division  
441 2714 Media Center Drive  
442 Los Angeles, CA 90065  
443

444 Attn: Information Systems Support Squad

445 IU'S RIGHTS AND RESPONSIBILITIES

- 446
- 447 1. IU shall be responsible for all cost recovery charges
- 448 assessed due to sampling, testing, inspection, engineering,
- 449 and administrative enforcement actions conducted as a
- 450 result of this order.
- 451
- 452 2. Failure to comply with the terms of this order shall
- 453 constitute a further violation of the City's Ordinance and
- 454 may subject IU to civil or criminal penalties or such other
- 455 enforcement actions as may be appropriate.
- 456
- 457 3. Pursuant to the City's Ordinance, Section 64.30 E.B. (e), IU
- 458 has the right to have this matter heard before the Board of
- 459 Public Works. IU may file a request for a hearing by
- 460 contacting the Permitting and Enforcement Environmental
- 461 Engineer at (323) 342-6098. Filing of such a request will
- 462 not stay the terms of this order; however, it will provide
- 463 IU with the opportunity for a hearing before the Board. At
- 464 the conclusion of the hearing, the Board shall make a
- 465 determination whether to uphold or modify the terms of this
- 466 order, or the Board may take other enforcement actions as
- 467 deemed necessary.
- 468
- 469

470 SIGNATORIES

471

472

473 This order takes effect upon signature.

474

475

476 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

477

478 [Manager Name]

479 Industrial Waste Management Division

480 Bureau of Sanitation

481 City of Los Angeles

## COMPLIANCE ORDER SCHEDULE

(IU) NAME  
IU ADDRESS

INDUSTRIAL USER NO. IUXXXXXXX  
INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXXX

CASE NO. XXXXXXX

<u>COMPLIANCE ORDER REQUIREMENTS</u>	<u>DUE DATE</u>
1. Achieve Interim Compliance	Month day, year
2. Submit Notice of Compliance/Noncompliance	Month day, year
3. Submit Engineering Plan	Month day, year
4. Implement Engineering Plan	Month day, year
5. Submit Pollution Prevention Plan	Month day, year
6. Implement Pollution Prevention Plan	Month day, year
7. Submit Operation and Maintenance Manual	Month day, year
8. Submit Enforcement Self-Monitoring Reports (SMR):	
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
9. Submit Monthly Progress Reports:	
1st report for Month year	Month day, year
2nd report for Month year	Month day, year
3rd report for Month year	Month day, year
4th report for Month year	Month day, year
5th report for Month year	Month day, year
10. <u>Final Compliance Deadline</u>	<u>Month day, year</u>

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (CIU)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other Compliance Order requirements have been duly noted by the Bureau of Sanitation. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

IU Name - 2 - Date

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II



**(Exhibit 5)**

**Compliance Order**

**Non-Categorical Significant Industrial User**

**(NCSIU)**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF COMPLIANCE MEETING (NCSIU)

A review of IU's compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

*(Discuss IU's violations and NOVs issued to IU)*

As a result, IU is hereby required to attend a Compliance Meeting with the Bureau of Sanitation, Industrial Waste Management Division. Attached is a Draft Compliance Order requiring IU to take necessary corrective actions and achieve consistent compliance with all conditions of Industrial Wastewater Permit No. W-XXXXXX. This order is proposed to ensure that compliance with all local and federal pretreatment standards is achieved and maintained.

The Compliance Meeting will be held on Day, Date at time in the Industrial Waste Management Division headquarters located at 2714 Media Center Drive, Los Angeles, CA. The meeting will be informal in nature and must be attended by IU's management and operations staff. IU should be prepared to present a plan of corrective actions and installation of any necessary

pretreatment equipment to ensure that full and permanent compliance will be achieved and maintained.

At the conclusion of the meeting, the City will make a determination whether to modify the order based on the information presented, or to issue the order as proposed.

Failure to attend the Compliance Meeting will result in final issuance of the Compliance Order without discussion with IU. In addition, failure to achieve compliance will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation.

To confirm attendance of the scheduled Compliance Meeting, or if there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

#### ISSUANCE OF COMPLIANCE ORDER (NCSIU)

A Compliance Meeting was held on Date with Bureau of Sanitation, Industrial Waste Management Division staff and IU to discuss IU's noncompliance with conditions of Industrial Wastewater Permit No. W-XXXXXX and the proposed Compliance Order issued on Date.

At this meeting, IU's proposal of corrective actions was discussed.

*(Discuss specifics of IU's proposal)*

It is the Bureau's decision that these corrective actions must be taken by IU. Therefore, the attached Compliance Order is hereby issued and finalized.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Compliance Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could

IU Name - 2 - Date

subject IU to civil penalties of up to \$25,000 a day for each violation.

In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

1 CITY OF LOS ANGELES  
2 DEPARTMENT OF PUBLIC WORKS  
3 BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION  
4  
5

6 IN THE MATTER OF

7  
8 IU Name

9 IU Address

COMPLIANCE  
ORDER

10  
11  
12 INDUSTRIAL USER NO. IUXXXXXX

13  
14 INDUSTRIAL WASTEWATER

15 PERMIT NO. W-XXXXXX

16  
17 CASE NO. XXXXXX  
18

19 LEGAL AUTHORITY  
20

21 The following findings and order are made pursuant to authority  
22 vested in the Director, Bureau of Sanitation, under Section  
23 64.30 of the Los Angeles Municipal Code (hereinafter referred to  
24 as the City's Ordinance), and rules and regulations adopted by  
25 the Board of Public Works pursuant thereto. This authority has  
26 been delegated by the Director to the Manager of the Bureau of  
27 Sanitation, Industrial Waste Management Division.  
28

29 FACTS  
30

31 The Manager of the Industrial Waste Management Division of the  
32 Bureau of Sanitation finds that IU is in violation of conditions  
33 contained in Industrial Wastewater Permit No. W-XXXXXX.  
34

35 This finding is made on the basis of the following facts:  
36

37 1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on  
38 Date, which prohibits discharge of industrial waste in  
39 violation of the City's Ordinance or regulations of the  
40 Board of Public Works made pursuant thereto;  
41

42 2. IU's Industrial Wastewater Permit No. W-XXXXXX was most  
43 recently amended/renewed on Date;  
44 (Use this statement if applicable).

- 45 3. IU is classified under Non-Categorical Significant  
46 Industrial User (NCSIU) Group SIXX with an average  
47 industrial wastewater flow of XXXX gpd;  
48
- 49 4. IU operates a facility involved in (process description)  
50 and discharges non-domestic wastewater containing  
51 pollutants to the sanitary sewer system of the City of Los  
52 Angeles;  
53
- 54 5. IU is a "significant industrial user" as defined by Part  
55 ~~403.3(v)(1)(ii)~~ of Title 40 of the Code of Federal  
56 Regulations (40 CFR);  
57
- 58 6. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)  
59 prohibits the discharge of any material which will cause  
60 the City to violate its National Pollution Discharge  
61 Elimination System Permits, applicable Federal and State  
62 statutes, rules, or regulations;  
63
- 64 7. Pursuant to the City's Ordinance, Section 64.30.B.2.(a)  
65 makes it unlawful to introduce wastewater to the City's  
66 sewer system that exceeds listed specific pollutant  
67 limitations or other more restrictive limitations imposed  
68 by permit conditions;  
69
- 70 8. Pursuant to the City's Ordinance, Section 64.30.E.9.(c)  
71 makes it unlawful for any person to violate any provision  
72 of the City's Ordinance or any term or condition of any  
73 permit issued pursuant thereto; and  
74
- 75 9. Pursuant to the City's Ordinance and above referenced  
76 permit, data has been routinely collected or submitted on  
77 the compliance status of IU.

78 FINDINGS OF VIOLATION

79  
80 City Records show that IU violated its permit conditions and the  
81 City's Ordinance in the following manner:

- 82  
83 1. IU has exceeded instantaneous maximum discharge standards  
84 number (#) times for a total of number (#) days of  
85 violation, as shown below.

86  
87 DISCHARGE LIMIT VIOLATIONS

88  
89 SAMPLE SAMPLE PARA- ACTUAL LIMIT VIOLATION  
90 DATE TYPE METER (mg/l) (mg/l) TYPE DAYS NOV#  
91 POTW-G IM 1  
92 IU-G IM 1

93  
94 POTW-G - Grab Sample collected by the City

95 IU-G - Grab Sample collected by IU

96 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)

97 NOV# - Notice of Violation Number

98 (Note: Abbreviations not used may be deleted from the  
99 order)

- 100  
101 2. IU has violated reporting requirements, as shown below.

102  
103 REPORTING VIOLATIONS

104  
105 REPORTING DUE VIOLATION  
106 PERIOD DATE TYPE DAYS NOV#

107  
108 MONTH - MONTH YR MONTH DAY, YR ES XX XXXXX

109  
110 FS - Failure to Submit Self-Monitoring Report

111 DS - Delinquent Self-Monitoring Report

112 IS - Incomplete Self-Monitoring Report

113 FES - Failure to Submit Enforcement Self-Monitoring Report

114 FAO - Failure to Submit (Type of Admin. Order Report)

115 FPI - Failure to Submit Permitting Information

116 NOV# - Notice of Violation Number

117 (Note: Abbreviations not used may be deleted from the  
118 order)

- 119  
120 3. IU has exceeded criteria for significant noncompliance as  
121 defined in 40 CFR 403.8(f)(2)(vii).

122 (Use this section if applicable)



FINDINGS OF VIOLATION SUBSEQUENT  
TO ISSUANCE OF CEASE AND DESIST ORDER

Based upon the above Findings of Violation, IU was issued a Cease and Desist Order on (Date) requiring that consistent compliance be achieved and maintained by (Date). As part of this order, IU was required to conduct additional self-monitoring. Multi-day sampling of IU's discharge was also performed by the City from (period of time).

This data shows that IU has continued to violate the City's ordinance and the terms of the Cease and Desist Order in the following manner:

1. IU has exceeded instantaneous maximum discharge standards subsequent to issuance of the Cease and Desist Order number (#) times for a total of number (#) days of violation, as shown below.

CEASE AND DESIST ORDER  
DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	IU-G				IM	1	

[Note: List violations which have occurred subsequent to issuance of the Cease and Desist Order.]

POTW-G - Grab Sample collected by the City  
IU-G - Grab Sample collected by IU  
IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
NOV# - Notice of Violation Number

(Note: Abbreviations not used may be deleted from the order)

2. IU has violated its reporting requirements during the term of the Cease and Desist Order, as shown below.

CEASE AND DESIST ORDER  
REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATIONS TYPE DAYS NOV#
---------------------	-------------	------------------------------

MONTH - MONTH YR	MONTH DAY, YR	FS XX XXXXX
FS -	Failure to Submit Self-Monitoring Report	
DS -	Delinquent Self-Monitoring Report	
IS -	Incomplete Self-Monitoring Report	
FES -	Failure to Submit Enforcement Self-Monitoring	
FAO -	Failure to Submit (Type of Admin. Order Report)	
FPI -	Failure to Submit Permitting Information	
NOV# -	Notice of Violation Number	

(Note: Abbreviations not used may be deleted from the order)

Based upon the above Findings of Violation, IU is/was required to attend a Compliance Meeting with City staff on (Date) to discuss the issue of noncompliance with the Cease and Desist Order requirements/permit conditions and further corrective actions to be taken such that full and permanent compliance would be achieved.

(Use whichever applicable/appropriate)

## COMPLIANCE ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION,  
IU IS HEREBY ORDERED TO:

### 1. ACHIEVE INTERIM COMPLIANCE

- A. By 30 days from date of order, IU shall take appropriate corrective actions necessary to achieve interim compliance with discharge standards stipulated in Industrial Wastewater Permit No. W-XXXXXX.
- B. By 45 days from date of order, IU shall submit a notice indicating whether compliance has been achieved and describing actions taken in response to item 1.A of this order.

### 2. MAINTAIN CONSISTENT COMPLIANCE

By 90/120 days from date of order, IU shall take all corrective actions necessary such that IU's wastewater discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.  
[Note: If the 120 day deadline is applied, all other later date options must also be applied.]

### 3. SUBMIT ENGINEERING PLAN

By 30 days from date of order, IU shall submit an engineering plan. This plan shall outline the steps to be taken to maintain consistent and permanent compliance and shall include the following:

- A. A detailed description of the proposed pretreatment system; including design criteria, chemistry of treatment, process flow diagram, equipment to be installed, and construction or modifications to be implemented;
- B. A cost estimate for all corrective actions to be implemented including a breakdown of capital and labor expenses for major items of the work;
- C. A description of operation and maintenance procedures to be implemented; and

D. A schedule of compliance, not to exceed beyond 90/120 days from date of order, that includes the following dates:

- (1) The beginning and ending dates of any construction or installation of equipment; and
- (2) The dates new operation and maintenance procedures will take effect.

4. IMPLEMENT ENGINEERING PLAN

By 60/90 days from date of order, IU shall complete the installation of all pretreatment equipment and other construction, additions, or modifications as outlined in the engineering plan.

5. SUBMIT POLLUTION PREVENTION PLAN

A. By 30 days from date of order, IU shall submit a pollution prevention plan. This plan shall evaluate the following pollution prevention/source reduction technologies:

- (1) Wastewater flow reduction;
- (2) Raw material changes to avoid or eliminate pollutants that enter wastestreams;
- (3) Improving operational practices including, but not limited to, recycling loss prevention, waste segregation, production scheduling, maintenance operations and overall site management;
- (4) Process changes or equipment modifications to reduce the usage and production of hazardous wastestreams; and
- (5) Recovery and re-use of generated wastestreams.

B. The plan shall also address management issues such as inventory control, employee training, in-house policies, increasing supervisory teams, corporate or management commitment, and other programs or measures to improve waste management practices.

C. Those items selected for implementation shall be identified along with the following information:

- (1) Schedule of implementation
- (2) Estimate of capital cost
- (3) Estimate of annual cost savings
- (4) Justification for options not selected

290 6. IMPLEMENT POLLUTION PREVENTION PLAN

291  
292 By 60/90 days from date of order, IU shall complete all  
293 pollution prevention and source control procedures as  
294 outlined in the pollution prevention plan.  
295

296 7. CONDUCT ADDITIONAL SELF-MONITORING

297  
298 A. Once per month/In the first and third week of each  
299 month, beginning (Date of order), until the  
300 engineering and pollution prevention plans are fully  
301 implemented, IU shall collect grab samples of its  
302 discharge and analyze for (list all applicable locally  
303 regulated parameters).  
304

305 B. Once per week, following complete implementation of  
306 the engineering and pollution prevention plans,  
307 beginning Date, for a period of four weeks, IU shall  
308 collect grab samples of its discharge and analyze for  
309 (list all applicable locally regulated parameters).  
310

311 C. All sample analyses shall be performed by an  
312 independent laboratory using EPA approved analytical  
313 methods and shall be representative of discharge to  
314 the sewer.  
315

316 D. All samples shall be taken from Sample Point XX,  
317 (description of the sample point).  
318

319 E. IU shall prenotify the SIU Inspection Group, at (323)  
320 342-6200, 48 hours prior to any self-monitoring  
321 performed.  
322

323 F. All self-monitoring performed as required by this  
324 order shall be reported on IU's periodic self-  
325 monitoring report form.  
326

327 G. If results of any sample analysis indicate exceedences  
328 of discharge standards, IU shall notify the SIU  
329 Inspection Group, at (323) 342-6200, within 24 hours  
330 of becoming aware of the violation.  
331

332 8. SUBMIT OPERATION AND MAINTENANCE MANUAL

333  
334 By 105/135 days from date of order, IU shall submit an  
335 Operation and Maintenance Manual which includes the  
336 following documentation:  
337  
338

- (1) Design Considerations
- (2) Waste/Wastewater Sources
- (3) Chemistry of Treatment
- (4) Wastewater Treatment Process Flow Diagram
- (5) Pretreatment Unit Operation Procedures
- (6) Chemical Preparations
- (7) Troubleshooting
- (8) Manufacturer's Literature
- (9) Daily Logbook

9. SUBMIT REQUIRED INFORMATION AND REPORTS

A. IU shall submit all self-monitoring results required by this order no later than the 15th day of the month following the date of sampling, as described in the attached/compliance schedule.

B. IU shall submit monthly progress reports no later than the 15th day of the month following the month covered by the report, as described in the attached/compliance schedule. The progress reports shall include a notice of compliance/noncompliance regarding any increment of progress, which was to be met within that month. In the event IU fails to comply with any of the dates specified in the schedule of compliance, IU shall describe the reasons for failure to comply, the additional amount of time needed to complete the remaining work, and the steps to be taken to avoid future delays. This in no way excuses IU from its responsibility to meet any later milestones as specified in the compliance schedule.

C. Every submittal shall be signed by an executive officer of IU and shall include the following 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 assure 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, I certify that all information is true and all wastewater samples analyzed and reported herein are representative of the ordinary process wastewater flow from this facility. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

389 D. Every submittal, required by this Compliance Order,  
390 excluding enforcement self-monitoring reports, shall  
391 be sent to the following address:

392 *City of Los Angeles/Bureau of Sanitation*  
393 *Industrial Waste Management Division*  
394 *2714 Media Center Drive*  
395 *Los Angeles, CA 90065*  
396 *Attn: Staff Engineer*  
397

398 E. IU shall submit all self-monitoring reports, including  
399 periodic and enforcement self-monitoring reports, to  
400 the following address:

401 *City of Los Angeles/Bureau of Sanitation*  
402 *Industrial Waste Management Division*  
403 *2714 Media Center Drive*  
404 *Los Angeles, CA 90039*  
405 *Attn: Information Systems Support Squad*

406 IU'S RIGHTS AND RESPONSIBILITIES

407

- 408 1. IU shall be responsible for all cost recovery charges  
409 assessed due to sampling, testing, inspection, engineering,  
410 and administrative enforcement actions conducted as a  
411 result of this order.  
412
- 413 2. Failure to comply with the terms of this order shall  
414 constitute a further violation of the City's Ordinance and  
415 may subject IU to civil or criminal penalties or such other  
416 enforcement actions as may be appropriate.  
417
- 418 3. Pursuant to the City's Ordinance, Section 64.30 E.3.(e), IU  
419 has the right to have this matter heard before the Board of  
420 Public Works. IU may file a request for a hearing by  
421 contacting the Permitting and Enforcement Environmental  
422 Engineer at (323) 342-6098. Filing of such a request will  
423 not stay the terms of this order; however, it will provide  
424 IU with the opportunity for a hearing before the Board. At  
425 the conclusion of the hearing, the Board shall make a  
426 determination whether to uphold or modify the terms of this  
427 order, or the Board may take other enforcement actions as  
428 deemed necessary.  
429

430

431

SIGNATORIES

432

433 This order takes effect upon signature.

434

435

436

437 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

438

439

[Manager Name]

440

Industrial Waste Management Division

441

Bureau of Sanitation

442

City of Los Angeles



## COMPLIANCE ORDER SCHEDULE

IU NAME

IU ADDRESS

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

### COMPLIANCE ORDER REQUIREMENTS

### DUE DATE

- |  |                        |
|--|------------------------|
| 1. Achieve Interim Compliance                        | Month day, year        |
| 2. Submit Notice of Compliance/Noncompliance         | Month day, year        |
| 3. Submit Engineering Plan                           | Month day, year        |
| 4. Implement Engineering Plan                        | Month day, year        |
| 5. Submit Pollution Prevention Plan                  | Month day, year        |
| 6. Implement Pollution Prevention Plan               | Month day, year        |
| 7. Submit Operation and Maintenance Manual           | Month day, year        |
| 8. Submit Enforcement Self-Monitoring Reports (SMR): |                        |
| For Month day, year to Month day, year               | Month day, year        |
| For Month day, year to Month day, year               | Month day, year        |
| For Month day, year to Month day, year               | Month day, year        |
| For Month day, year to Month day, year               | Month day, year        |
| For Month day, year to Month day, year               | Month day, year        |
| 9. Submit Monthly Progress Reports:                  |                        |
| 1st report for Month year                            | Month day, year        |
| 2nd report for Month year                            | Month day, year        |
| 3rd report for Month year                            | Month day, year        |
| 4th report for Month year                            | Month day, year        |
| 5th report for Month year                            | Month day, year        |
| 10. <u>Final Compliance Deadline</u>                 | <u>Month day, year</u> |

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (NCSIU)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other Compliance Order requirements have been duly noted by the Bureau of Sanitation. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

IU Name - 2 - Date

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

**(Exhibit 5)**

**Compliance Order**

**Local Industrial User**

**(LIU)**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF COMPLIANCE MEETING (LIU)

A review of IU's compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

*(Discuss IU's violations and NOVs issued to IU)*

As a result, IU is hereby required to attend a Compliance Meeting with the Bureau of Sanitation, Industrial Waste Management Division. Attached is a Draft Compliance Order requiring IU to take necessary corrective actions and achieve consistent compliance with all conditions of Industrial Wastewater Permit No. W-XXXXXX. This order is proposed to ensure that compliance with all local and federal pretreatment standards is achieved and maintained.

The Compliance Meeting will be held on Day, Date at time in the Industrial Waste Management Division headquarters located at 2714 2714 Media Center Drive, Los Angeles, CA. The meeting will be informal in nature and must be attended by IU's management and operations staff. IU should be prepared to present a plan of corrective actions and installation of any necessary pretreatment

IU Name

- 2 -

Date

pretreatment equipment to ensure that full and permanent compliance will be achieved and maintained.

At the conclusion of the meeting, the City will make a determination whether to modify the order based on the information presented, or to issue the order as proposed.

Failure to attend the Compliance Meeting will result in final issuance of the Compliance Order without discussion with IU. In addition, failure to achieve compliance will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation.

To confirm attendance of the scheduled Compliance Meeting, or if there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF COMPLIANCE ORDER (LIU)

A Compliance Meeting was held on Date with Bureau of Sanitation, Industrial Waste Management Division staff and IU to discuss IU's noncompliance with conditions of Industrial Wastewater Permit No. W-XXXXXX and the proposed Compliance Order issued on Date.

At this meeting, IU's proposal of corrective actions was discussed.

*(Discuss specifics of IU's proposal)*

It is the Bureau's decision that these corrective actions must be taken by IU. Therefore, the attached Compliance Order is hereby issued and finalized.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Compliance Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the

IU Name

- 2 -

Date

City Attorney's Office for civil/criminal filing which could subject IU to civil penalties of up to \$25,000 a day for each violation.

In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action. If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II



1 CITY OF LOS ANGELES  
2 DEPARTMENT OF PUBLIC WORKS  
3 BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION  
4

5 IN THE MATTER OF

6  
7 IU Name

8 IU Address  
9

10  
11 INDUSTRIAL USER NO. IUXXXXXXX

12  
13 INDUSTRIAL WASTEWATER

14 PERMIT NO. W-XXXXXX  
15

16 CASE No. XXXXXX  
17

\*  
\*  
\* COMPLIANCE  
\* ORDER  
\*  
\*  
\*  
\*  
\*  
\*

18 LEGAL AUTHORITY  
19

20 The following findings and order are made pursuant to authority  
21 vested in the Director, Bureau of Sanitation, under Section 64.30  
22 of the Los Angeles Municipal Code (hereinafter referred to as the  
23 City's Ordinance), and rules and regulations adopted by the Board  
24 of Public Works pursuant thereto. This authority has been  
25 delegated by the Director to the Manager of the Bureau of  
26 Sanitation, Industrial Waste Management Division.  
27

28 FACTS  
29

30 The Manager of the Industrial Waste Management Division of the  
31 Bureau of Sanitation finds that IU is in violation of conditions  
32 contained in Industrial Wastewater Permit No. W-XXXXXX.  
33

34 This finding is made on the basis of the following facts:  
35

- 36 1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on  
37 (Date), which prohibits discharge of industrial waste in  
38 violation of the City's Ordinance or regulations of the  
39 Board of Public Works made pursuant thereto;  
40  
41 2. IU is a Local Industrial User (LIU) with an average  
42 industrial wastewater flow of (XXXX) gpd;  
43

- 44 3. IU operates a facility involved in (process description) and  
45 discharges non-domestic wastewater containing pollutants to  
46 the sanitary sewer system of the City of Los Angeles;  
47
- 48 4. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)  
49 prohibits the discharge of any material which will cause the  
50 City to violate its National Pollution Discharge Elimination  
51 System Permits, applicable Federal and State statutes,  
52 rules, or regulations;  
53
- 54 5. Pursuant to the City's Ordinance, Section 64.30.B.2.(a)  
55 makes it unlawful to introduce wastewater to the City's  
56 sewer system that exceeds listed specific pollutant  
57 limitations or other more restrictive limitations imposed by  
58 permit conditions;  
59
- 60 6. Pursuant to the City's Ordinance, Section 64.30.E.9.(c)  
61 makes it unlawful for any person to violate any provision of  
62 the City's Ordinance or any term or condition of any permit  
63 issued pursuant thereto; and  
64
- 65 7. Pursuant to the City's Ordinance and above referenced  
66 permit, data has been routinely collected or submitted on  
67 the compliance status of IU.

68 FINDINGS OF VIOLATION

69  
70 City Records show that IU has violated its permit conditions and  
71 the City's Ordinance in the following manner:

- 72  
73 1. IU exceeded instantaneous maximum discharge standards  
74 number (#) times for a total of number (#) days of  
75 violation, as shown below.

76  
77 DISCHARGE LIMIT VIOLATIONS

78  
79 SAMPLE SAMPLE PARA- ACTUAL LIMIT VIOLATION  
80 DATE TYPE METER (mg/l) (mg/l) TYPE DAYS NOV#

81  
82 POTW-G IM 1

83  
84 POTW-G - Grab Sample collected by the City  
85 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
86 NOV# - Notice of Violation Number

87  
88  
89  
90 FINDINGS OF VIOLATION SUBSEQUENT  
91 TO ISSUANCE OF CEASE AND DESIST ORDER

92  
93 Based upon the above Findings of Violation, IU was issued a Cease  
94 and Desist Order on (Date) requiring that consistent compliance  
95 be achieved and maintained by (Date). As part of this order, IU  
96 was required to conduct additional self-monitoring. Multi-day  
97 sampling of (IU's) discharge was also performed by the City from  
98 (period of time).

99  
100 This data shows that IU has continued to violate the City's  
101 Ordinance and the terms of the Cease and Desist Order in the  
102 following manner:

- 103  
104 1. IU has exceeded instantaneous maximum discharge standards  
105 subsequent to issuance of the Cease and Desist Order number  
106 (#) times for a total of number (#) days of violation, as  
107 shown below.

CEASE AND DESIST ORDER  
DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE DAYS NOV#
----------------	----------------	----------------	------------------	-----------------	-----------------------------

POTW-G					IM 1
IU-G					IM 1

[Note: list violations which have occurred subsequent to issuance of the Cease and Desist Order.]

POTW-G - Grab Sample collected by the City  
 IU-G - Grab Sample collected by IU  
 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
 NOV# - Notice of Violation Number

(Note: Abbreviations not used may be deleted from the order)

2. IU has violated its reporting requirements during the term of the Cease and Desist Order, as shown below.

CEASE AND DESIST ORDER  
REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
---------------------	-------------	-------------------	------

MONTH-MONTH YR	MONTH DAY, YR	FES	XXXXXX
----------------	---------------	-----	--------

IS - Incomplete Self-Monitoring Report  
 FES - Failure to Submit Enforcement Self-Monitoring Report  
 NOV# - Notice of Violation Number

(Note: Abbreviations not used may be deleted from the order)

Based upon the above Findings of Violation, IU is/was required to attend a Compliance Meeting with City staff on Date to discuss the issue of noncompliance with the Cease and Desist Order requirements/permit conditions and further corrective actions to be taken such that full and permanent compliance would be achieved.

(Use whichever applicable/appropriate)

## COMPLIANCE ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION,  
IU IS HEREBY ORDERED TO:

### 1. ACHIEVE INTERIM COMPLIANCE

- A. By 30 days from date of order, IU shall take appropriate corrective actions necessary to achieve interim compliance with discharge standards stipulated in Industrial Wastewater Permit No. W-XXXXXX.
- B. By 45 days from date of order, IU shall submit a notice indicating whether compliance has been achieved and describing actions taken in response to item 1.A of this order.

### 2. MAINTAIN CONSISTENT COMPLIANCE

By 90/120 days from date of order, IU shall take all corrective actions necessary such that IU's wastewater discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.

[Note: If 120 day deadline is applied, all other later date options must also be applied.]

### 3. SUBMIT ENGINEERING PLAN

By 30 days from date of order, IU shall submit an engineering plan. This plan shall outline the steps to be taken to maintain consistent and permanent compliance and shall include the following:

- A. A detailed description of the proposed pretreatment system; including design criteria, chemistry of treatment, process flow diagram, equipment to be installed, and construction or modifications to be implemented;
- B. A cost estimate for all corrective actions to be implemented including a breakdown of capital and labor expenses for major items of the work;
- C. A description of operation and maintenance procedures to be implemented; and

D. A schedule of compliance, not to exceed beyond 90/120 days from date of order that includes the following dates:

- (1) The beginning and ending dates of any construction or installation of equipment; and
- (2) The dates new operation and maintenance procedures will take effect.

4. IMPLEMENT ENGINEERING PLAN

By 60/90 days from date of order, IU shall complete the installation of all pretreatment equipment and other construction, additions, or modifications as outlined in the engineering plan.

5. SUBMIT POLLUTION PREVENTION PLAN

A. By 30 days from date of order, IU shall submit a pollution prevention plan. This plan shall evaluate the following pollution prevention/source reduction technologies:

- (1) Wastewater flow reduction;
- (2) Raw material changes to avoid or eliminate pollutants that enter wastestreams;
- (3) Improving operational practices including, but not limited to, recycling loss prevention, waste segregation, production scheduling, maintenance operations and overall site management;
- (4) Process changes or equipment modifications to reduce the usage and production of hazardous wastestreams; and
- (5) Recovery and re-use of generated wastestreams.

B. The plan shall also address management issues such as inventory control, employee training, in-house policies, increasing supervisory teams, corporate or management commitment, and other programs or measures to improve waste management practices.

C. Those items selected for implementation shall be identified along with the following information:

- (1) Schedule of implementation
- (2) Estimate of capital cost
- (3) Estimate of the annual cost savings
- (4) Justification for the options not selected

248 6. IMPLEMENT POLLUTION PREVENTION PLAN

249  
250 By 60/90 days from date of order, IU shall complete all  
251 pollution prevention and source control procedures as  
252 outlined in the pollution prevention plan.  
253

254 7. CONDUCT SELF-MONITORING

255  
256 A. Once per month/In the first and third week of each  
257 month, beginning (date of order), until the  
258 engineering and pollution prevention plans are fully  
259 implemented, IU shall collect grab samples of its  
260 discharge and analyze for (list all applicable locally  
261 regulated parameters).  
262

263 B. Once per week, following complete implementation of  
264 the engineering and pollution prevention plans,  
265 beginning Date, for a period of four weeks, IU shall  
266 collect grab samples of its discharge and analyze for  
267 (list all applicable locally regulated parameters).  
268

269 C. All sample analyses shall be performed by an  
270 independent laboratory using EPA approved analytical  
271 methods and shall be representative of discharge to the  
272 sewer.  
273

274 D. All samples shall be taken from Sample Point XX,  
275 (description of the sample point).  
276

277 E. IU shall prenotify Staff Engineer, at phone number, 48  
278 hours prior to any self-monitoring performed.  
279

280 F. All self-monitoring performed as required by this order  
281 shall be reported on the laboratory report form.  
282

283 G. If results of any sample analysis indicate exceedences  
284 of discharge standards, IU shall notify Staff  
285 Engineer, at phone number, within 24 hours of becoming  
286 aware of the violation.  
287

288 8. SUBMIT OPERATION AND MAINTENANCE MANUAL

289  
290 By 105/135 days from date of order, IU shall submit an  
291 Operation and Maintenance Manual which includes the  
292 following documentation:  
293  
294

- 295 (1) Design Considerations  
296 (2) Waste/Wastewater Sources  
297 (3) Chemistry of Treatment  
298 (4) Wastewater Treatment Process Flow Diagram  
299 (5) Pretreatment Unit Operation Procedures  
300 (6) Chemical Preparations  
301 (7) Troubleshooting  
302 (8) Manufacturer's Literature  
303 (9) Daily Logbook  
304

305 9. SUBMIT REQUIRED INFORMATION AND REPORTS  
306

- 307 A. IU shall submit all self-monitoring results required by  
308 this order no later than the 15th day of the month  
309 following the date of sampling, as described in the  
310 attached/compliance schedule.  
311  
312 B. IU shall submit monthly progress reports no later than  
313 the 15th day of the month following the month covered  
314 by the report, as described in the attached/compliance  
315 schedule. The progress reports shall include a notice  
316 of compliance/noncompliance regarding any increment of  
317 progress, which was to be met within that month. In the  
318 event IU fails to comply with any of the dates  
319 specified in the schedule of compliance, IU shall  
320 describe the reasons for failure to comply, the  
321 additional amount of time needed to complete the  
322 remaining work, and the steps to be taken to avoid  
323 future delays. This in no way excuses IU from its  
324 responsibility to meet any later milestones as  
325 specified in the compliance schedule.  
326  
327 C. Every submittal shall be signed by an executive officer  
328 of IU and shall include the following statement:  
329

330 I certify under penalty of law that this document and all attachments were prepared under  
331 my direction or supervision in accordance with a system designed to assure that qualified  
332 personnel properly gather and evaluate the information submitted. Based on my inquiry of  
333 the person or persons who manage the system, or those persons directly responsible for  
334 gathering the information, I certify that all information is true and all wastewater samples  
335 analyzed and reported herein are representative of the ordinary process wastewater flow  
336 from this facility. I am aware that there are significant penalties for submitting false  
337 information, including the possibility of fine and imprisonment for knowing violations.  
338



343 D. Every submittal required by this Compliance Order shall  
344 be sent to the following address:  
345 *City of Los Angeles/Bureau of Sanitation*  
346 *Industrial Waste Management Division*  
347 *2714 Media Center Drive*  
348 *Los Angeles, CA 90065*  
349 Attn: *Staff Engineer*

350 IU'S RIGHTS AND RESPONSIBILITIES

- 351
- 352 1. IU shall be responsible for all cost recovery charges
- 353 assessed due to sampling, testing, inspection, engineering,
- 354 and administrative enforcement actions conducted as a result
- 355 of this order.
- 356
- 357 2. Failure to comply with the terms of this order shall
- 358 constitute a further violation of the City's Ordinance and
- 359 may subject IU to civil or criminal penalties or such other
- 360 enforcement actions as may be appropriate.
- 361
- 362 3. Pursuant to the City's Ordinance, Section 64.30.F.B.(e), IU
- 363 has the right to have this matter heard before the Board of
- 364 Public Works. IU may file a request for a hearing by
- 365 contacting the Permitting and Enforcement Environmental
- 366 Engineer at (323) 342-6098. Filing of such a request will
- 367 not stay the terms of this order; however, it will provide
- 368 IU with the opportunity for a hearing before the Board. At
- 369 the conclusion of the hearing, the Board shall make a
- 370 determination whether to uphold or modify the terms of this
- 371 order, or the Board may take other enforcement actions as
- 372 deemed necessary.
- 373
- 374

375 SIGNATORIES

376

377 This order takes effect upon signature.

378

379 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

380

381 [Manager Name]

382 Industrial Waste Management Division

383 Bureau of Sanitation

384 City of Los Angeles

385

## COMPLIANCE ORDER SCHEDULE

IU NAME

IU ADDRESS

INDUSTRIAL USER NO. IXXXXXXX

INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

### COMPLIANCE ORDER REQUIREMENTS

### DUE DATE

- |  |                        |
|--|------------------------|
| 1. Achieve Interim Compliance                        | Month day, year        |
| 2. Submit Notice of Compliance/Noncompliance         | Month day, year        |
| 3. Submit Engineering Plan                           | Month day, year        |
| 4. Implement Engineering Plan                        | Month day, year        |
| 5. Submit Pollution Prevention Plan                  | Month day, year        |
| 6. Implement Pollution Prevention Plan               | Month day, year        |
| 7. Submit Operation and Maintenance Manual           | Month day, year        |
| 8. Submit Enforcement Self-Monitoring Reports (SMR): |                        |
| For Month day, year to Month day, year               | Month day, year        |
| For Month day, year to Month day, year               | Month day, year        |
| For Month day, year to Month day, year               | Month day, year        |
| For Month day, year to Month day, year               | Month day, year        |
| For Month day, year to Month day, year               | Month day, year        |
| 9. Submit Monthly Progress Reports:                  |                        |
| 1st report for Month year                            | Month day, year        |
| 2nd report for Month year                            | Month day, year        |
| 3rd report for Month year                            | Month day, year        |
| 4th report for Month year                            | Month day, year        |
| 5th report for Month year                            | Month day, year        |
| 10. <u>Final Compliance Deadline</u>                 | <u>Month day, year</u> |

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (LIU)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other Compliance Order requirements have been duly noted by the Bureau of Sanitation. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the enforcement monitoring. IU, however, must maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. Further violations of Industrial Wastewater Permit No. W-XXXXXX may subject IU to increased inspection frequency, and consequently

IU Name - 2 - Date

higher inspection and control fees.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

**EXHIBIT 6**

**PERMIT SUSPENSION ORDER  
DOCUMENTS**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF SHOW CAUSE PERMIT SUSPENSION HEARING

IU was issued a Compliance Order on Date requiring that IU achieve and maintain compliance with Industrial Wastewater Permit No. W-XXXXXX by Date. The final inspection and sampling recently conducted by the City/IU, however, indicate that IU has failed to meet the requirements as stipulated in the Compliance Order.

(Provide details of final inspection and sampling as applicable)  
As a result and pursuant to Section 64.30.E.1 of the Los Angeles Municipal Code, IU is hereby notified of the Bureau's intent to suspend Industrial Wastewater Permit No. W-XXXXXX.

Attached is a proposed Permit Suspension Order. If finalized, this order will suspend IU's permit, and require IU to cease and desist from further discharge of industrial wastewater to the City's sewer system.

IU is hereby required to attend a Show Cause Permit Suspension Hearing with the Bureau of Sanitation, Industrial Waste Management Division. The meeting will be held on Day, Date at time in the Industrial Waste Management Division headquarters located at 2714 Media Center Drive, Los Angeles, CA. The meeting must be attended by IU's management and operations staff. IU should be prepared to show cause why the permit should not be suspended and present proof that full and

permanent compliance with discharge standards has been achieved and will be maintained.

At the conclusion of the meeting, the City will make a determination, based on the information presented, whether to suspend IU's permit.

Failure to attend the meeting will result in final issuance of the Permit Suspension Order. In addition, failure to achieve compliance will lead to escalated enforcement action such as permit revocation and service termination. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation.

To confirm attendance of the scheduled meeting or if there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

Bureau of Sanitation

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II



Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF PERMIT SUSPENSION ORDER (CIU and NCSIU)

A Show Cause Permit Suspension Hearing was conducted with Bureau of Sanitation, Industrial Waste Management Division staff and IU on Date. The purpose of this meeting was to discuss the Draft Permit Suspension Order issued on Date and to allow IU the opportunity to show cause why Industrial Wastewater Permit No. W-XXXXXX should not be suspended.

Based upon discussion at this meeting, it is the City's determination that IU was unable to show that sufficient corrective actions have been taken such that full and permanent compliance with permit conditions has been achieved and can be maintained. As a result, Industrial Wastewater Permit No. W-XXXXXX is hereby suspended, and effective Date, the attached Permit Suspension Order to cease all further industrial wastewater discharge is finalized and issued.

As specified in the order, IU is required to submit a notice of discharge cessation by Date. (three days from date of order)

Discharge privileges may be reinstated only upon submittal of a Notice of Compliance and report documenting additional corrective actions taken such that full and permanent compliance with Industrial Wastewater Permit No. W-XXXXXX will be

maintained.

Lifting of the suspension is contingent upon the Bureau's satisfactory evaluation of the adequacy of those corrective actions taken.

Failure to comply with the terms of this Permit Suspension Order will subject IU to escalated enforcement action such as permit revocation and service termination. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

\*

\*

IU Name

\*

PERMIT SUSPENSION  
ORDER

IU Address

\*

\*

INDUSTRIAL USER NO. IUXXXXXX

\*

\*

INDUSTRIAL WASTEWATER

\*

PERMIT NO. W-XXXXXX

\*

\*

CASE NO. XXXXXX

\*

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, Bureau of Sanitation, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the Bureau of Sanitation, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the Bureau of Sanitation finds that IU is in violation of the conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX, on Date, which prohibited discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;  
(Use this statement if applicable)
3. IU is classified under Categorical Industrial User (CIU)/Non-Categorical Significant Industrial User (NCSIU) Group SIXX with an average industrial wastewater flow of XXXX gpd;

(Use IU classification as appropriate)

4. IU operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;

5. IU is a "significant industrial user" as defined by Part 403.3(v)(1)(i)/(ii) [use (ii) if IU is NCSIU] of Title 40 of the Code of Federal Regulations (40 CFR), and is subject to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by the EPA in 40 CFR 403 and 4XX;

(only use highlighted portion and two sections below if IU is categorical)

6. Pursuant to 40 CFR 4XX, any existing/new source (describe process) operation, discharging less/more than 10,000 gallons a day (413 only), must comply with the daily maximum and monthly/4-day(413 only) average discharge limits for (list all federally regulated parameters) set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);

7. Pursuant to 40 CFR 4XX, any existing/new source (describe process) operation must also comply with the daily maximum discharge limit for total toxic organics set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);

8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollution Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;

9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions or National Categorical Pretreatment Standards;

10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's Ordinance or any term or condition of any permit issued pursuant thereto; and

11. Pursuant to the City's Ordinance and above referenced permit, data has been routinely collected or submitted on the compliance status of IU.

## FINDINGS OF VIOLATION

City records show that IU violated its permit conditions and the City's Ordinance in the following manner:

1. IU exceeded instantaneous maximum, daily maximum, and/or monthly/4-day (413 only) average discharge standards number (#) times for a total of number (#) days of violation, as shown below.

### DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

POTW-G - Grab Sample collected by the City  
POTW-C - Composite Sample collected by the City  
IU-G - Grab Sample collected by IU  
IU-C - Composite Sample collected by IU  
CPS - Average of Combined City and IU Results  
IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)  
DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)  
4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)  
NOV# - Notice of Violation Number  
(Note: Abbreviations not used may be deleted from the order)

2. IU violated reporting requirements, as shown below.

### REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH - MONTH YR	MONTH DAY, YR	FS	XXXXX

FS - Failure to Submit Self-Monitoring Report  
DS - Delinquent Self-Monitoring Report  
IS - Incomplete Self-Monitoring Report  
FES - Failure to Submit Enforcement Self-Monitoring Report  
FAO - Failure to Submit (Type of Admin. Order Report)  
FPI - Failure to Submit Permitting Information  
NOV# - Notice of Violation Number  
(Note: Abbreviations not used may be deleted from the order)

**FINDINGS OF VIOLATION SUBSEQUENT TO  
ISSUANCE OF CEASE AND DESIST ORDER**

Based upon the above Findings of Violation, IU was issued a Cease and Desist Order on Date requiring that consistent compliance be achieved and maintained by Date. As part of this order, IU was required to conduct additional self-monitoring. Multi-day sampling of IU's discharge was also performed by the City from (period of time).

This data shows that IU continued to violate the City's Ordinance and the terms of the Cease and Desist Order in the following manner:

1. IU exceeded instantaneous maximum, daily maximum, and/or monthly/4-day (413 only) average discharge standards subsequent to issuance of the Cease and Desist Order number (#) times for a total of number (#) days of violation, as shown below.

CEASE AND DESIST ORDER  
DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

[Note: list violations which have occurred during the term of the Cease and Desist Order.]

POTW-G - Grab Sample collected by the City  
POTW-C - Composite Sample collected by the City  
IU-G - Grab Sample collected by IU  
IU-C - Composite Sample collected by IU  
CPS - Average of Combined City and IU Results  
IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)  
DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)  
4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)  
NOV# - Notice of Violation Number

(Note: Abbreviations not used may be deleted from the order.)

196 2. IU violated reporting requirements during the term of the  
197 Cease and Desist Order in the following manner:

198  
199 CEASE AND DESIST ORDER  
200 REPORTING VIOLATIONS

201  
202 REPORTING DUE VIOLATION  
203 PERIOD DATE TYPE NOV#

204  
205 MONTH - MONTH YR MONTH DAY, YR FS XXXXX

206  
207 FS - Failure to Submit Self-Monitoring Report  
208 DS - Delinquent Self-Monitoring Report  
209 IS - Incomplete Self-Monitoring Report  
210 FES - Failure to Submit Enforcement Self-Monitoring  
211 FAO - Failure to Submit (Type of Admin. Order Report)  
212 FPI - Failure to Submit Permitting Information  
213 NOV# - Notice of Violation Number

214 (Note: Abbreviations not used may be deleted from the  
215 order)

FINDINGS OF VIOLATION  
SUBSEQUENT TO ISSUANCE OF COMPLIANCE ORDER

Based upon the above Findings of Violation, IU was required to attend a Compliance Meeting with City staff on Date to discuss the issue of non-compliance with the Cease and Desist Order requirements. Subsequent to this meeting, IU was issued a Compliance Order establishing Date as the final deadline to maintain full and permanent compliance with discharge standards. As part of this order, IU was also required to conduct additional self-monitoring.

Following the deadline for compliance as established in the Compliance Order, the City performed multi-day sampling of IU's discharge from (period of time). This data shows that IU has continued to violate the City's Ordinance and the terms of the Compliance Order in the following manner:

1. IU has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day(413 only) average discharge standards subsequent to issuance of the Compliance Order number (#) times for a total of number (#) days of violation, as shown below.

COMPLIANCE ORDER  
DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION		
					TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

[Note: list violations which have occurred subsequent to issuance of the Compliance Order.]

POTW-G - Grab Sample collected by the City  
POTW-C - Composite Sample collected by the City  
IU-G - Grab Sample collected by IU  
IU-C - Composite Sample collected by IU  
CPS - Average of Combined City and IU Results  
IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)



261 DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)  
262 4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)  
263 NOV# - Notice of Violation Number

264 (Note: Abbreviations not used may be deleted from the  
265 order)

266

267 2. IU has continued to violate reporting requirement during the  
268 term of the Compliance Order, as shown below.

269

270

271

272

273

274

275

276 MONTH - MONTH YR MONTH DAY, YR FS XXXXX

277

278 FS - Failure to Submit Self-Monitoring Report

279 DS - Delinquent Self-Monitoring Report

280 IS - Incomplete Self-Monitoring Report

281 FES - Failure to Submit Enforcement Self-Monitoring  
282 Report

283 FAO - Failure to Submit (Type of Admin. Order Report)

284 FPI - Failure to Submit Permitting Information

285 NOV# - Notice of Violation Number

286 (Note: Abbreviations not used may be deleted from the  
287 order)

288

289 3. IU has exceeded criteria for significant non-compliance as  
290 defined in 40 CFR 403.8(f)(2)(vii).

291 (Use this section if applicable)

292

293

294 Based upon the above Findings of Violation, IU is required to  
295 attend a Show Cause Permit Suspension Hearing with City staff on  
296 Date. The purpose of this meeting is to allow IU the  
297 opportunity to show cause why Industrial Wastewater Permit No.  
298 W-XXXXXX should not be suspended.

299 (Use this paragraph only when Draft Permit Suspension Order is  
300 issued to IU)

301

302

303 Based upon the above Findings of Violation, IU was required to  
304 attend a Show Cause Permit Suspension Hearing with City staff on  
305 Date. At this meeting, IU was unable to show cause why

306 Industrial Wastewater Permit No. W-XXXXXX should not be  
307 suspended.

308 (Use this paragraph only if final Permit Suspension Order is  
309 issued to IU)

310 PERMIT SUSPENSION ORDER

311  
312 THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION,  
313 INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX IS HEREBY SUSPENDED  
314 AND IU IS HEREBY ORDERED TO:

315  
316  
317 1. CEASE AND DESIST DISCHARGE OF INDUSTRIAL WASTEWATER

318  
319 By date of order/Effective immediately, IU shall cease and  
320 desist from all further discharge of industrial wastewater  
321 to the City's sewer system.  
322

323 2. SUBMIT REQUIRED INFORMATION

324  
325 A. By three days from date of order, IU shall submit a  
326 notice indicating cessation of discharge of industrial  
327 wastewater into the City's sewer system and actions  
328 taken to achieve compliance with item 1 of this order.  
329

330 B. The required notice shall be signed by an executive  
331 officer of IU and shall include the following  
332 statement:  
333

334 I certify under penalty of law that the above statement is true and that all industrial  
335 wastewater discharge to the City of Los Angeles sewer system has ceased. I am  
336 aware that there are significant penalties for submitting false information,  
337 including the possibility of fine and imprisonment for knowing violations.  
338

339 C. The required notice shall be sent to the following  
340 address:  
341

342 City of Los Angeles/Bureau of Sanitation  
343 Industrial Waste Management Division  
344 2714 Media Center Drive  
345 Los Angeles, CA 90065  
346

347 Attn: Staff Engineer  
348  
349  
350  
351  
352

353 IU'S RIGHTS AND RESPONSIBILITIES

354

355 1. IU shall be responsible for all cost recovery charges  
356 assessed due to sampling, testing, inspection, engineering,  
357 and administrative enforcement actions conducted as a result  
358 of this order.

359

360 2. This order suspends all industrial wastewater discharge  
361 privileges, but does not constitute a waiver of other  
362 conditions of Industrial Wastewater Permit No. W-XXXXXX,  
363 which remain in full force and effect. The City of Los  
364 Angeles reserves the right to seek any and all remedies  
365 available to it under Section 64.30 of the City's Ordinance  
366 for any violations cited by, or subsequent to this order.

367

368 3. Failure to comply with this order shall constitute a further  
369 violation of the City's Ordinance and may subject IU to  
370 civil or criminal penalties or such other enforcement  
371 actions as may be appropriate.

372

373 4. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), IU  
374 has the right to have this matter heard before the Board of  
375 Public Works. IU may file a request for a hearing, by  
376 contacting the Permitting and Enforcement Environmental  
377 Engineer at (323) 342-6098. Filing of such a request will  
378 not stay a suspension, however it will provide IU with the  
379 opportunity for a hearing within 14 days of such filing. At  
380 the conclusion of the hearing, the Board shall make a  
381 determination whether to terminate, or conditionally  
382 terminate the suspension, or the Board may cause the permit  
383 to be revoked.

384

385 SIGNATORIES

386

387 This order takes effect upon signature.

388

389 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

390

391 [Manager Name]  
392 Industrial Waste Management Division  
393 Bureau of Sanitation City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

#### NOTICE OF CONDITIONAL PERMIT REINSTATEMENT

On Date, Industrial Wastewater Permit No. W-XXXXXX was suspended requiring that all industrial wastewater discharge to the City sewer system be ceased. IU has since submitted a Notice of Compliance and report describing additional actions taken to ensure that full and permanent compliance will be maintained. This submittal has been approved by the Bureau.

As a result of the corrective actions taken by IU, effective Date, Industrial Wastewater Permit No. W-XXXXXX is hereby conditionally reinstated and discharge privileges are restored.

A final multi-day sampling will be conducted by the City at IU in the near future. Should results confirm that IU has in fact achieved compliance, IU will be returned to routine status and a Notice of Final Permit Reinstatement will be issued.

IU

- 2 -

Date

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

#### NOTICE OF FINAL PERMIT REINSTATEMENT

On Date, a Permit Suspension Order was issued to IU suspending Industrial Wastewater Permit No. W-XXXXXX. Subsequently, on Date, a Notice of Conditional Permit Reinstatement was issued. Final permit reinstatement was contingent upon results of multi-day sampling conducted by the Bureau.

The Bureau has since performed this sampling and results indicate that compliance has been achieved. Therefore, effective Date, IU is hereby notified of the final reinstatement of Industrial Wastewater Permit No. W-XXXXXX, the termination of enforcement actions, and the return to routine status.

Enforcement self-monitoring requirements have also been terminated. However, IU must continue with periodic self-monitoring, reported on the appropriate forms, by the required due dates, as specified in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that despite termination of this enforcement case, any future violations of Industrial Wastewater Permit No. W-XXXXXX may subject IU to escalated enforcement action, including permit

IU - 2 - Date

revocation.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff; at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II



**EXHIBIT 7**

**IMMINENT HAZARD  
PERMIT SUSPENSION ORDER  
DOCUMENTS**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF IMMINENT HAZARD PERMIT SUSPENSION ORDER

On Date, the City of Los Angeles conducted local and/or federal wastewater discharge sampling at IU. Samples taken indicate (constituent) violations at levels, which constitute an imminent hazard to the environment, and public health and safety. As a result, and pursuant to Section 64.30.E.1 of the Los Angeles Municipal Code, the attached Imminent Hazard Permit Suspension Order to immediately cease all further industrial wastewater discharge is issued to IU, and effective (date/immediately), Industrial Wastewater Permit No. W-XXXXXX is hereby suspended.

As specified in the order, IU is required to submit a notice of discharge cessation by Date [three days from date of order].

IU is also required to attend a Compliance Meeting with Bureau of Sanitation, Industrial Waste Management Division staff. The meeting will be held on Day, Date [three days from date of order] at time in the Industrial Waste Management Division headquarters located at 2714 Media Center Drive, Los Angeles, CA. The meeting must be attended by IU management and operations staff. IU should be prepared to discuss the cause of violation and corrective actions taken or proposed.

Discharge privileges may be reinstated only upon submittal of a Notice of Compliance and report documenting additional corrective actions taken such that full and permanent compliance with Industrial Wastewater Permit No. W-XXXXXX will be maintained.

Lifting of the suspension is contingent upon the Bureau's satisfactory evaluation of the adequacy of those corrective actions taken.

Failure to comply with the terms of this Imminent Hazard Permit Suspension Order will subject IU to escalated enforcement action such as permit revocation and service termination. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

To confirm attendance of the scheduled meeting, or if there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SANITATION - INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

IMMINENT HAZARD  
PERMIT SUSPENSION ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, Bureau of Sanitation, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the Bureau of Sanitation, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the Bureau of Sanitation finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;  
(Use this section if applicable)
3. IU is classified under Categorical Industrial User (CIU)/Non-Categorical Significant Industrial User (NCSIU) Group SIXX with an average industrial wastewater flow of XXXX gpd;

(Use IU classification as appropriate)

4. IU operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
5. IU is a "significant industrial user" as defined by Part 403.3(v)(1)(i)/(ii) [use (ii) if IU is NCSIU] of Title 40 of the Code of Federal Regulations (40 CFR), and is subject to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by the EPA in 40 CFR 403 and 4XX;  
(only use highlighted portion and two sections below if IU is categorical)
6. Pursuant to 40 CFR 4XX, any existing/new source, (describe process) operation, discharging less/more than 10,000 gallons a day (413 only), must comply with the daily maximum and monthly/4-day(413 only) average discharge limits for (list all federally regulated parameters) set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);
7. Pursuant to 40 CFR 4XX, any existing/new source (describe process) operation must also comply with the daily maximum discharge limit for total toxic organics set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);
8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollution Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;
9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the POTW that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions or National Categorical Pretreatment Standards;
10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's ordinance or any term or condition of any permit issued pursuant thereto; and.
11. Pursuant to the City's Ordinance and above referenced permit, data has been routinely collected or submitted on the compliance status of IU.

97 FINDINGS OF IMMINENT HAZARD

98  
99  
100 City records show that IU violated its permit conditions and the  
101 City's Ordinance in the following manner:  
102

103 IU discharged (list constituents) at levels, which present  
104 an imminent hazard to the environment, and public health and  
105 safety, as shown below.  
106

107 DISCHARGE LIMIT VIOLATIONS

108

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION		
					TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30/31	

111  
112  
113  
114  
115  
116  
117

118 POTW-G - Grab Sample collected by the City  
119 POTW-C - Composite Sample collected by the City  
120 IU-G - Grab Sample collected by IU  
121 IU-C - Composite Sample collected by IU  
122 CPS - Average of Combined City and IU Results  
123 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)  
124 DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)  
125 MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)  
126 4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)  
127 NOV# - Notice of Violation Number  
128 (Note: Abbreviations not used may be deleted from the  
129 order)

130 IMMINENT HAZARD PERMIT SUSPENSION ORDER

131  
132  
133 THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF IMMINENT  
134 HAZARD, INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX IS HEREBY  
135 SUSPENDED AND IU IS HEREBY ORDERED TO:

136  
137  
138 1. CEASE AND DESIST DISCHARGE OF INDUSTRIAL WASTE

139  
140 By Date of order/Effective immediately, IU shall cease and  
141 desist from all further discharge of industrial wastewater  
142 to the City's sewer system.

143  
144  
145 2. SUBMIT REQUIRED INFORMATION

146  
147 A. By three days from date of order, IU shall submit a  
148 notice indicating cessation of discharge of industrial  
149 wastewater to the City's sewer system and describing  
150 actions taken to achieve compliance with item 1 of this  
151 order.

152  
153 B. The required notice shall be signed by an executive  
154 officer of IU and shall include the following  
155 statement:

156  
157 I certify under penalty of law that the above statement is true and that all industrial  
158 waste discharge to the City of Los Angeles sewer system has ceased. I am aware  
159 that there are significant penalties for submitting false information, including the  
160 possibility of fine and imprisonment for knowing violations.

161  
162 C. The required notice shall be sent to the following  
163 address:

164  
165 City of Los Angeles/Bureau of Sanitation  
166 Industrial Waste Management Division  
167 2714 Media Center Drive  
168 Los Angeles, CA 90065

169  
170 Attn: Staff Engineer

171 IU'S RIGHTS AND RESPONSIBILITIES

- 172
- 173 1. IU shall be responsible for all cost recovery charges
- 174 assessed due to sampling, testing, inspection, engineering,
- 175 and administrative enforcement actions conducted as a result
- 176 of this order.
- 177
- 178 2. This order suspends all industrial waste discharge
- 179 privileges, but does not constitute a waiver of other
- 180 conditions of Industrial Wastewater Permit No. W-XXXXXX,
- 181 which remain in full force and effect. The City of Los
- 182 Angeles reserves the right to seek any and all remedies
- 183 available to it, under Subsections D and E of Section 64.30
- 184 of the City's Ordinance, for any violations cited by, or
- 185 subsequent to this order.
- 186
- 187 3. Failure to comply with this order shall constitute a further
- 188 violation of the City's Ordinance and may subject IU to
- 189 civil or criminal penalties or such other enforcement
- 190 actions as may be appropriate.
- 191
- 192 4. Pursuant to the City's Ordinance, Section 64.30 E (3) (e), IU
- 193 has the right to have this matter heard before the Board of
- 194 Public Works. IU may file a request for a hearing, by
- 195 contacting the Permitting and Enforcement Environmental
- 196 Engineer at (323) 342-6098. Filing of such a request will
- 197 not stay a suspension, however it will provide IU with the
- 198 opportunity for a hearing within three (3) days of such
- 199 filing. At the conclusion of the hearing, the Board shall
- 200 make a determination whether to terminate, or conditionally
- 201 terminate the suspension, or the Board may cause the permit
- 202 to be revoked.
- 203

204 SIGNATORIES

205

206 This order takes effect upon signature.

207

208 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

209

210 [Manager Name]

211 Industrial Waste Management Division

212 Bureau of Sanitation

213 City of Los Angeles



Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF CONDITIONAL PERMIT REINSTATEMENT

On Date, Industrial Wastewater Permit No. W-XXXXXX was suspended requiring that all industrial wastewater discharge to the City sewer system be ceased. IU has since submitted a Notice of Compliance and report describing additional actions taken to ensure that full and permanent compliance will be maintained. This submittal has been approved by the Bureau.

As a result of the corrective actions taken by IU, effective Date, Industrial Wastewater Permit No. W-XXXXXX is hereby conditionally reinstated and discharge privileges are restored.

A final multi-day sampling will be conducted by the City at IU in the near future. Should results confirm that IU has in fact achieved compliance, IU will be returned to routine status and a Notice of Final Permit Reinstatement will be issued.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF FINAL PERMIT REINSTATEMENT

On Date, a Permit Suspension Order was issued to IU suspending Industrial Wastewater Permit No. W-XXXXXX. Subsequently, on Date, a Notice of Conditional Permit Reinstatement was issued. Final permit reinstatement was contingent upon results of multi-day sampling conducted by the Bureau.

The Bureau has since performed this sampling and results indicate that compliance has been achieved. Therefore, effective Date, IU is hereby notified of the final reinstatement of Industrial Wastewater Permit No. W-XXXXXX, the termination of enforcement actions, and the return to routine status.

Enforcement self-monitoring requirements have also been terminated. However, IU must continue with periodic self-monitoring, reported on the appropriate forms, by the required due dates, as specified in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that despite termination of this enforcement case, any future violations of Industrial Wastewater Permit No. W-XXXXXX may subject IU to escalated enforcement action, including permit

revocation.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

## **EXHIBIT 8**

### **PERMIT REVOCATION DOCUMENTS**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF SHOW CAUSE PERMIT REVOCATION HEARING

IU is hereby notified of a Show Cause Permit Revocation Hearing before the City of Los Angeles Board of Public Works (Board) pursuant to Los Angeles Municipal Code Section 64.30 E.3. (e). The Hearing will be conducted at (time), on (Day), (date) in Room 350, City Hall, 200 North Spring Street, Los Angeles, CA.

The Bureau of Sanitation, Industrial Waste Division, has recommended to the Board that IU's Industrial Wastewater Permit No. W-XXXXXX be revoked and the sewer connection be sealed. Cause for the recommended permit revocation is failure to comply with permit conditions and requirements as well as the (specify administrative orders issued) issued to IU on (date).

IU may be represented by legal counsel and should be prepared to show cause why the permit should not be revoked. At the conclusion of the hearing, the Board shall make a determination whether to revoke the permit and seal the sewer or impose conditions of its own.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division

c: SIU Enforcement Section  
Chief Environmental Compliance Inspector II

SHOW CAUSE PERMIT REVOCATION HEARING STATEMENT

(To be read by President of Board of Public Works prior to beginning of hearing)

The Board has scheduled this "Show Cause Hearing" for this time namely \_\_\_\_\_, notice of which  
(Time of Hearing) (Hearing Date)

was sent to the respondent on \_\_\_\_\_. Respondent was  
(Date Notice Sent)

ordered to show cause why its industrial waste permit issued for the properties located at \_\_\_\_\_,  
(Location)

should not be revoked or suspended for violation of the industrial waste water discharge requirements of the City of Los Angeles, as contained in Los Angeles Municipal Code, Section 64.30.

The Board will conduct this Administrative Hearing in a quasi-judicial capacity. The Board, however, is not a court of law and consequently will proceed in a less formal manner.

These proceedings are being tape recorded and the Board will base its decision only upon evidence presented at this hearing.

A witness will be sworn if he, or she, is agreeable. The Bureau will proceed first. The respondent shall then proceed at the conclusion of the Bureau's presentation.

Each party may make, if they choose, an opening statement and a closing argument. At the conclusion of the hearing the Board shall take the matter under submission and render a written decision.

Your firm is charged with discharging \_\_\_\_\_  
(List Constituents)  
into the City's publicly owned treatment works in excess of the amount allowed by the code, namely Section 64.30.



Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IXXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF PERMIT REVOCATION

On (Date), a Show Cause Permit Revocation Hearing was conducted before the Board of Public Works in the matter of Industrial Wastewater Permit No. W-XXXXXX. At this hearing, IU was provided with the opportunity to show cause why its permit should not be revoked. The Bureau of Sanitation, Industrial Waste Management Division, also provided testimony documenting IU's history of violations and failure to comply with conditions of Industrial Wastewater Permit No. W-XXXXXX.

After evaluating the circumstances of this case, the Board's final action was to revoke Industrial Wastewater Permit No. W-XXXXXX. This notice serves as written documentation of that permit revocation, effective (Date).

To ensure that no industrial wastewater discharge will occur, IU's sewer connection has been or will soon be severed.

Be aware that pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]  
Bureau of Sanitation

By:

[Manager Name]  
Industrial Waste Management Division.

c: SIU Enforcement Section  
[Chief Name], Chief Environmental Compliance Inspector II

**EXHIBIT 9**

**RECEIPT FOR HAND DELIVERED  
ORDERS**

## RECEIPT FOR HAND DELIVERED ORDERS

### TYPE OF ORDER:

- ☐ CEASE AND DESIST ORDER
- ☐ CONSENT ORDER
- ☐ COMPLIANCE ORDER
- ☐ PERMIT SUSPENSION ORDER
- ☐ IMMINENT HAZARD PERMIT SUSPENSION ORDER
- ☐ NOTICE OF PERMIT REVOCATION

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

### IU INFORMATION:

IU Name: \_\_\_\_\_

IU Location Address: \_\_\_\_\_

Industrial User No. \_\_\_\_\_

Industrial Wastewater Permit No: \_\_\_\_\_

Case No: \_\_\_\_\_

### ORDER ISSUED TO:

\_\_\_\_\_  
(IU Representative, Print Name)

\_\_\_\_\_  
(IU Representative, Signature)

\_\_\_\_\_  
(IU Representative Title)

### ORDER ISSUED BY:

\_\_\_\_\_  
(City Representative, Print Name)

\_\_\_\_\_  
(City Representative, Signature)

\_\_\_\_\_  
(City Representative Title)

DATE ISSUED: \_\_\_\_\_

TIME: \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_