



CITY COUNCIL STAFF REPORT

From: City Manager

Report Type: CONSENT CALENDAR

Lead Department: Utilities

Meeting Date: May 8, 2023

Staff Report: 2301-0789

TITLE

Approval of the Sewer System Management Plan Update 2023 as required by the reissued Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems, Order 2022-0103-DWQ

RECOMMENDATION

Staff recommends that Council approve the revised Sanitary Sewer Management Plan (SSMP)¹, as required by the reissued Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems, Order 2022-0103-DWQ.

EXECUTIVE SUMMARY

The City's current SSMP was certified by Council per the State of California Water Resources Control Board's (SWRCB's) requirements on November 5, 2018². On December 6, 2022, the SWRCB adopted Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems, Order 2022-0103-DWQ (2022 General Order³) affecting wastewater collection system management. The 2022 General Order requires the City of Palo Alto to update its SSMP to incorporate certain additional requirements of the 2022 General Order by June 5, 2023. Remaining requirements of the 2022 General Order must be included in the SSMP and adopted by Council prior to August 2, 2025.

BACKGROUND

The 2022 General Order applies to all California municipalities that own and/or operate a sanitary sewer system greater than one (1) mile in length. The 2022 General Order supersedes previous

¹ Sanitary Sewer Management Plan <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/reports/city-manager-reports-cmrs/attachments/05-08-2023-id2301-0789-2023-ssmp.pdf>

² 2018 Sanitary Sewer Management Plan <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/reports/city-manager-reports-cmrs/attachments/05-08-2023-id2301-0789-2018-ssmp.pdf>

³ Order 2022-01-03DWQ (2022 General Order) https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo_2022-0103-dwq.pdf

General Orders, including the 2006 Order No. 2006-0003-DWQ and the Amending Monitoring and Reporting Program WQ 2013-0058-Exec. To decrease the impacts on human health and the environment caused by sewage spills, the previous General Order required enrollees to develop a rehabilitation and replacement plan that identified system deficiencies and prioritized short-term and long-term rehabilitation actions. The previous General Order also required enrollees to:

1. Maintain information that can be used to establish and prioritize appropriate Sewer System Management Plan activities; and
2. Implement a proactive approach to reduce spills.

The previous General Order also required SSMP elements to document these requirements for “the proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management.” The 2022 General Order continues and expands on the requirements of the previous General Order, including the requirement to prepare, certify, and implement an SSMP.

Under the 2022 General Order, two (2) requirements must be completed prior to the June 5, 2023. First, the Legally Responsible Official must be designated on the online California Integrated Water Quality System (CIWQS) Sanitary Sewer System Database and certify continuation of existing regulatory coverage under the 2022 General Order. Certification of existing regulatory coverage will be made available on the CIWQS website beginning April 5, 2023. Second, the Spill Emergency Response Plan (SERP) element of the SSMP must be updated and implemented. City Staff has prepared an updated SSMP that meets the requirements of the 2022 General Order. After adoption by the City Council, the updated SSMP will be uploaded to CIWQS prior to the June 5, 2023 deadline.

ANALYSIS

The SSMP is a planning document that describes the City’s wastewater collection system management activities and procedures. The 2022 General Order has updated the required 11 elements of the SSMP. The structure of the SSMP required by the 2022 General Order is largely unchanged, as shown below in the table below.

2006 General Order Elements	2022 General Order Elements
1. Goal	1. Sewer System Management Plan Goal and Introduction
2. Organization	2. Organization
3. Legal Authority	3. Legal Authority
4. Operations and Maintenance Program	4. Operations and Maintenance Program
5. Design and Performance Goals	5. Design and Performance Provisions
6. Overflow Emergency Response Plan (OERP)	6. Spill Emergency Response Plan (SERP)

2006 General Order Elements	2022 General Order Elements
7. Fats, Oils, and Grease (FOG) Control Program	7. Sewer Pipe Blockage Control Program
8. System Evaluation and Capacity Assurance Plan	8. System Evaluation, Capacity Assurance, and Capital Improvements
9. Monitoring, Measurement, and Program Modifications	9. Monitoring, Measurement, and Program Modifications
10. Sewer System Management Plan (SSMP) Program Audits	10. Internal Audits
11. Communication Program	11. Communication Program

The specific requirements for each element of the SSMP are listed in the 2022 General Order. Many of the updated requirements must be incorporated into the SSMP by August 2, 2025. However, all changes related to Element 6 - "Spill Emergency Response Plan" (SERP) must be completed prior to June 5, 2023.

2022 General Order Element 6 includes significant changes to notification, monitoring, reporting, and recordkeeping requirements of individual spills. Individual spills are defined as Category 1, 2, 3, or 4. Category 4 is a newly defined sanitary sewer overflow (SSO). The SSO categories have been redefined in the 2022 General Order and are shown in the table below.

Amended 2013 General Order	Newly Adopted 2022 General Order
Category 1: discharges of untreated or partially treated wastewater of any volume that reach surface water or municipal separate storm sewer system and are not fully captured or returned to the sanitary sewer system or not otherwise captured and disposed of properly	Category 1: a spill of any volume of sewage from or caused by a sanitary sewer system that results in a discharge to: a) surface water b) a drainage conveyance system that discharges to surface water when the sewage is not fully captured and returned to the sanitary sewer system or disposed of properly
Category 2: discharges of untreated or partially treated wastewater of 1,000 gallons or greater that do not reach surface water	Category 2: a spill of 1,000 gallons or greater that does not discharge to a surface water
Category 3: all other discharges of untreated or partially treated wastewater	Category 3: a spill of equal to or greater than 50 gallons and less than 1,000 gallons that does not discharge to a surface water
Category 4 was not defined.	Category 4: a spill of less than 50 gallons that does not discharge to a surface water

Procedures on how to contain and clean up an SSO remain unchanged in the SERP, however additional procedures have been added to meet the new notification requirements to potentially affected entities when an SSO reaches a water of the State as well as SSO-specific monitoring and

reporting requirements. Waters of the State include, but are not limited to, groundwater aquifers, surface waters, saline waters, natural washes and pools, wetlands, sloughs, and estuaries, regardless of flow or whether water exists during dry conditions. Detailed instructions on water quality sampling analysis have also been included in the SERP and are to be implemented if an SSO reaches surface water. The City's 2023 SSMP update includes some significant formatting changes, a new Element 6, and other minor changes in the rest of the elements. These changes are recorded in Appendix N of the 2023 SSMP.

The 2022 General Order further requires internal audits of the SERP annually and the SSMP every three years and updates as needed. The City's Utilities Department will complete the required audits, update the SERP and SSMP, and implement identified changes based on the audit findings. The entire SSMP will be recertified by City Council every six (6) years as required by the 2022 General Order. Once certified by City Council, the Legally Responsible Official will upload and certify the SSMP in the online CIWQS Sanitary Sewer System Database.

FISCAL/RESOURCE IMPACT

There are no immediate fiscal or resource impacts due to adoptions of this update to the SSMP. Potential long-term impacts include additional, unquantifiable increases in operational and capital costs to comply with increasingly stringent regulatory requirements.

ENVIRONMENTAL REVIEW

Council's adoption of the updated 2023 SSMP does not meet the definition of a project under the California Environmental Quality Act's Regulations, 14 CCR Section 15378(b)(5), as an organization or administrative activity of government that will not result in direct or indirect physical changes in the environment, thus environmental review is not required.

ATTACHMENTS:

Attachment A: 2023 Sanitary Sewer Management Plan

APPROVED BY:

Dean Batchelor, Director Utilities

Staff: Venessa Fujii, WGW Project Coordinator