Agenda Item: 9.D
Date of Meeting: December 8, 2025
Department: Public Works

STAFF REPORT

To:	City Council
From:	Nora Gamino
Subject:	**ORDINANCE - Second Reading and Adoption of an Ordinance Relating to Establishing an Industrial Waste Discharge Program**
Prepared On:	November 19, 2025
Attachments:	Ordinance No. XXX Update to Title 13 Water and Sewer Ordinance

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Background/History:
The City of Bishop operates a publicly owned treatment works (POTW) that provides wastewater collection and treatment for the community. The City's existing Municipal Code does not provide a permitting mechanism for the discharge of non-domestic or industrial wastewater into the sewer system.

Recently, an environmental contractor began removal of underground storage tanks (USTs) at a former gas station site. Groundwater infiltration requires dewatering of the excavation area, and the extracted water contains hydrocarbons that must be treated and disposed of properly to complete remediation. Discharging the dewatered groundwater to the City's sewer system is the only practical option available that meets environmental and public health requirements.

Because the City does not currently have a permit process for these types of discharges, staff is proposing a new Industrial Waste Discharge Program (Chapter 13.14) to establish a lawful, protective, and cost-recovering process for evaluating and permitting such discharges.

The City Council approved the first reading and introduction of this ordinance at their November 10, 2025 Regular Meeting.

Analysis/Discussion:
The proposed ordinance, titled Chapter 13.14 – Industrial Waste Discharge Permit Program, establishes a regulatory framework for the temporary or industrial discharge of non-domestic wastewater into the City's sewer system. The ordinance aligns with the Clean Water Act (33 U.S.C. §1251 et seq.), 40 CFR Part 403 (General Pretreatment Regulations), and the Porter-Cologne Water Quality Control Act.

Key provisions include:

- Permit Requirement: A Wastewater Discharge Permit (WDP) must be obtained prior to

any non-domestic discharge to the POTW.
- Permit Conditions: Each permit will specify pollutant limits, flow restrictions, sampling frequency, and reporting requirements.
- Enforcement: The ordinance authorizes administrative orders, compliance schedules, penalties, and suspension of service to protect the POTW.
- Cost Recovery: The City may recover all costs associated with permit administration, monitoring, testing, and treatment.

Proposed Fee and Deposit Structure
To implement the program, staff has developed a proposed fee schedule and deposit structure to recover the City's actual costs. The proposed structure ensures sufficient funds are received in advance while allowing accurate reconciliation after the permitted activity concludes.

Fee / Deposit Type	Description	Amount	Timing of Payment
Application / Permit Issuance Fee	Covers staff review of the application, discharge data, and sampling plan.	$500 per permit	Due upon application submission
Inspection & Monitoring Fee	Covers field inspections, sampling, and lab testing costs.	$150 per inspection + actual lab costs	Deducted from deposit; reconciled post-activity
Treatment & Processing Fee	Recovers WWTP treatment and disposal costs based on discharge volume and strength.	$0.10 per gallon (initial rate; subject to adjustment)	Deducted from deposit; reconciled post-activity
Administrative Oversight / Compliance Fee	Covers staff time for data review, enforcement follow-up, and reporting.	$120/hour (staff rate)	Deducted from deposit; reconciled post-activity
Refundable Deposit	Secures payment for estimated monitoring, lab, and treatment costs.	$2,000 minimum or as estimated by the Public Works Director based on project scope and volume	Due prior to permit issuance

At the close of the permitted activity:
- Actual costs are reconciled against the deposit.
- Any remaining balance is refunded to the permittee within 30 days.
- If costs exceed the deposit, the remaining balance is invoiced and due within 30 days.
- Unpaid balances are enforceable under the City's new Chapter 13.14 as non-compliance costs.

This proposed fee structure ensures cost recovery while protecting the City against unpaid fees.

Next Steps and Implementation Schedule

- Following this first reading, the ordinance will return for second reading and adoption at the next regular City Council meeting.
- The ordinance will take effect 30 days after adoption.
- The fee resolution will be presented for Council consideration at the next regular meeting.
- The fee resolution will take effect 60 days after adoption.
- After both actions are effective, Public Works will begin issuing Industrial Waste Discharge Permits consistent with the adopted program.

Economic Impacts:
There are no significant economic impacts.

Budget Impacts:
There are no general fund impacts associated with this action. Implementation of the permit program will be cost-neutral to the City, as all administrative and monitoring costs will be recovered through the adopted fees.

Legal Review:
City Attorney Pucci has reviewed this item and finds that the recommended action complies with the law.

Recommended Action:
Council consideration to approve the second reading and adoption of the proposed ordinance adding Chapter 13.14 to the Bishop Municipal Code to establish an Industrial Waste Discharge Program by title only.

Approved By: Robin Picken 11/20/2025
Approved By: Pam Foster 11/20/2025
Approved By:
Approved By: