

ARTICLE 9 RECYCLED WATER USE REGULATIONS

9.01 GENERAL

The Walnut Valley Water District (District) operates and maintains a recycled water distribution system, which provides recycled water service for landscape irrigation, agricultural irrigation, or any industrial process purpose.

It is the intent of the District that recycled water be used in a manner that, in compliance with any and all applicable Federal, State and local statutes, ordinances, regulations, and other requirements, will achieve the following:

- Prevent direct human consumption of recycled water
- Limit direct human contact with recycled water
- Limit runoff of recycled water by controlling the installation and operation of recycled water facilities

Where water is required for landscape irrigation, agricultural irrigation, or industrial process purposes, it is the intent of the District to provide the applicant, owner, or customer with recycled water in lieu of potable water where feasible. Each use must be approved on a case-by-case basis. Determination of the specific uses to be allowed shall be in accordance with the treatment standards and water quality requirements set forth in Title 22, Division 4, Chapter 3, of the California Code of Regulations and with the intent of these Rules and Regulations to protect the public health. In addition, each use shall be subject to the availability of distribution facilities and the feasibility of making such facilities available.

9.02 AREA SERVED

The requirements set forth herein pertain to recycled water service to land or improvements, or both, lying within and without the boundaries of the District.

The District may, at its discretion from time to time, contract with an applicant, owner, or customer to construct the necessary service lines and appurtenant facilities as a condition to obtaining service from the District.

9.03 SERVICE CONNECTIONS

Recycled water may be used for landscape irrigation, agricultural irrigation, or industrial process purposes, provided that all such use is in accordance with these Rules and Regulations and provided further that:

- 9.03.01 The design and construction of the on-site recycled water system shall be approved by the District.
- 9.03.02 The operator of the on-site recycled system is able to obtain a permit to receive such water and use it only for approved purposes.

9.03.03 Violation of permit conditions will result in reprimand, fines, and/or disconnection of service, depending on the severity of the violation.

Any such permit may be revoked by the District and thereupon such recycled water service shall cease in the manner provided in Article 9.06.

9.04 APPLICATION PROCEDURE

9.04.01 An application for recycled water service must be made in writing and signed by the applicant, owner, or customer if he/she is not one and the same. The application form shall be furnished by the District (Appendix G).

9.04.02 The applicant for a recycled water service permit under these Rules and Regulations must state thereon that he/she agrees to comply with the requirements or any and all applicable Federal, State, and local statutes, ordinances, regulations, and other requirements. The District may, at its discretion, require specific prior approval of any permit by any Federal, State, or local agency having jurisdiction over the operation of the District's facilities.

9.04.03 Upon receipt of an application, the District shall review the application, as it deems necessary. If the application is approved by the District, the General Manager will prescribe requirements in writing to the applicant as to the facilities necessary to be constructed, the manner of connection, and any other applicable requirements.

9.05 PERMITS

The permit for recycled water service shall include the following (Appendix F):

- Name and address of applicant
- A drawing of the proposed system showing the location and size of all valves, pipes, outlets, and appurtenances
- A statement that no changes in the proposed system will be undertaken without application and approval of an amended permit
- A statement acknowledging the applicant's liabilities due to violation of these Rules and Regulations, and the District's rights regarding water service as outlined in these Rules and Regulations

9.06 DISCONNECTION OF SERVICE

By reason of circumstances beyond the control of the District and in order to protect facilities of the District, or for the protection of the public health, safety, and welfare of the residents and property owners of the District, service may be disconnected under the conditions set forth below, notwithstanding the existence of a valid and subsisting permit for recycled water service:

9.06.01 Recycled water service may be disconnected on a temporary or permanent basis in the manner provided in Articles 8 and 9 herein at any

time the applicant's, owner's, or customer's operations do not conform to the applicable requirements as provided in Articles 8 and 9.

- 9.06.02 The District may disconnect recycled water service on a temporary basis at any time recycled water at the terminal point of the District's distribution system does not meet the requirements of regulatory agencies, including those prescribed by Title 22, Division 4, Chapter 3, of the California Code of Regulations. Recycled water service would, in such case, be reconnected at such time that recycled water at the terminal point of the distribution system would again meet the requirements of regulatory agencies, or at such time that the District would supplement the recycled water system with water from other sources.

9.07 OTHER LIMITATIONS OF SERVICE

Whenever possible, the District shall operate the recycled water system at a lower pressure than the potable water system so that the flow would be from the potable to the recycled system in the event of a cross-connection.

9.08 SIZE, LOCATION, AND INSTALLATION OF SERVICE

The District reserves the right to determine the size and location of the recycled water lines, service connections, and meters, including the flow rate of recycled water deliveries. The District shall have the right to determine the kind and size of backflow protection devices for potable water service in accordance with Article 8 and any and all other appurtenances to the service. The recycled water service lines shall be installed to the curb line or property line of the customer's property abutting upon a public street, highway, alley, easement, lane, or road (other than a freeway) in which are installed recycled water mains of the District.

9.09 LIMITATIONS ON SERVICE CONNECTIONS

No permit shall be issued except upon the following conditions:

- 9.09.01 The District reserves the right to limit the area of land under one ownership to be supplied by one recycled water service connection and recycled water meter.
- 9.09.02 The District reserves the right to require recycled water customers to install on-site storage facilities, at the discretion of the General Manager, to meet requested demands in order to maintain the operational capability of the recycled water system.
- 9.09.03 A recycled water service connection and recycled water meter shall not be used to supply adjoining property of a different owner.
- 9.09.04 When property provided with a recycled water service connection and recycled water meter is subdivided, such connection and meter shall be considered as serving the lot or parcel of land that it directly or first enters. Additional recycled water mains and/or recycled water service

lines will be required for all subdivided areas in accordance with these Rules and Regulations.

9.09.05 All recycled water used on any premises where a meter is installed must pass through the meter. Customers shall be held responsible and charged for all recycled water passing through their meters.

9.09.06 Every recycled water service line installed by the District is equipped with an angle meter stop on the inlet side of the meter. The angle meter stop is intended for the exclusive use of the District in controlling the recycled water supply through the recycled water service line. If the angle meter stop is damaged by the customer's use to an extent requiring replacement, such replacement shall be at the customer's expense.

9.09.07 Recycled water service may be supplied to residential property under the following conditions, provided that all attributes of the system are in compliance with Article 9 of these Rules and Regulations.

9.09.07.01 The property area proposed to be irrigated with recycled water is: (i) under ownership and/or control of a municipality or approved homeowner's association; (ii) has been designated as permanent open space; (iii) or is part of a Lighting and Open Space Maintenance District (LOSMD).

9.09.07.02 Upon application to the District by a property owner who can demonstrate major irrigation needs, the General Manager or designee shall evaluate such request on a case-by-case basis.

9.10 **RELOCATION OF RECYCLED WATER SERVICE LINE**

Should a recycled water service line installed by the District pursuant to the request of the applicant, owner, or customer be of the wrong size or installed at a wrong location, the cost of all changes required shall be paid by the applicant, owner, or customer. The costs for all repairs or changes required to be performed by the District shall also be paid by the applicant, owner, or customer.

9.11 **ILLEGAL CONNECTIONS**

No person shall make connection to recycled water facilities of the District without a permit, except as provided in the permit issued by the District.

9.12 **RECYCLED WATER METERS**

9.12.01 Water meters suspected by the customer of failing to register correctly (either high or low) may be requested by the customer to be tested. Testing and payment of costs are to be conducted according to Article 4.04.08, Adjustment of Bills for Meter Error; and Article 4.03.06.03, Meter Test Charge.

9.12.02 Water meters used for recycled water service shall not be interchanged or used for domestic water service after repairs or meter testing has been accomplished.

9.13 AUTHORIZED USES FOR RECYCLED WATER

In accordance with the provisions of Article 9.01, the uses of recycled water may include, but not necessarily be limited to, landscape irrigation, agricultural irrigation, and industrial process water. Each such use must be considered for approval by the District on a case-by-case basis, and the District may determine, at its discretion, whether it is necessary or desirable to furnish recycled water for the specific uses involved. Determination as to specific uses to be allowed shall be in accordance with the treatment standards and water quality requirements set forth in Title 22, Division 4, Chapter 3, of the California Code of Regulations. Prior to approving such uses, the District may, at its discretion, set forth specific requirements as conditions to providing such services and/or require specific prior approval from the appropriate regulatory agencies.

9.14 SCHEDULING USE OF RECYCLED WATER

The District reserves the right to control and schedule the use of recycled water if, in the opinion of the General Manager or his/her designated representative, scheduling is necessary for purposes including, but not limited to, the maintenance of an acceptable working pressure in the recycled water system and providing for reasonable safeguards in relation to public health. Such scheduling may involve programming deliveries to different customers and to various portions of a single customer's on-site system.

9.15 RESPONSIBILITY FOR MAINTENANCE

The applicant, owner, or customer is responsible for maintaining all on-site facilities (downstream of the customer's service meter) and the District has no ownership interest therein.

9.16 WATER CONSERVATION

It is the desire of the District to effect conservation of water resources whenever possible and to limit direct human contact with recycled water. In accordance with the above, the rate and extent of application of recycled water shall be controlled by the customer so as to minimize runoff from irrigated areas.

9.17 RECYCLED WATER SITE SUPERVISOR

The local health department and the District shall be kept informed of the identity of the person responsible for the water piping on all premises concerned with these regulations. At each premises, a "Recycled Water Site Supervisor" shall be designated. This supervisor shall be responsible for the installation and use of pipelines and equipment and for the prevention of cross-connections. All conditions set forth in Article 8.09 shall apply to the Recycled Water Site Supervisor.

9.18 RECYCLED WATER FACILITIES DESIGN AND CONSTRUCTION

9.18.01 **General:** All off-site recycled water facilities and all on-site recycled water facilities shall be designed and constructed according to the requirements, conditions, and standards set forth in a separate supplement as adopted and revised by the District from time to time entitled, "Standard Specifications for the Construction of Water Facilities." This document is on file at the District office and by this reference is incorporated herein. The recycled water system, including both off-site and on-site facilities, shall be separate and independent of any potable water system.

9.18.02 **Off-Site Recycled Water Facilities:** Any recycled water distribution facilities determined by the District to be required to serve the property of an applicant, owner, or customer shall be provided by the applicant, owner, or customer at his/her expense.

The District shall prepare all plans and specifications and perform the installation of any facilities. In some cases, the District may require larger facilities to be installed than are actually required to serve the property of the applicant. In such event, the District will bear the difference in cost between the size required and the larger size of pipe, valves, fittings, labor, and other appurtenances specified by the District.

The District will assume responsibility for providing recycled water service to the point of connection upon completion of all distribution facilities and conveyance of any necessary easements. All easements shall be in a form acceptable to the District and shall not be subject to outstanding obligations to relocate such facilities or to any Deeds of Trust, except in instances where such is determined by the Board or the General Manager to be in the best interests of the District.

9.18.03 **On-Site Recycled Water Facilities:** Any on-site recycled water facility shall be provided by the applicant, owner, or customer at his/her expense. The applicant, owner, or customer shall retain title to all such on-site facilities.

9.18.03.01 **Plans and Specifications:** On-site recycled water facilities, in addition to conforming to these Rules and Regulations and the District's Standard Specifications for the Construction of Water Facilities, shall conform to State and local governing codes, rules, and regulations. When the District's Standard Specifications for the Construction of Water Facilities require a higher quality material, equipment, design or construction method than that required by State or local governing codes, rules, and regulations, the District's Rules and Regulations and specifications shall take precedence.

Plans and specifications must be approved by the District prior to commencing construction. Controller charts for

landscape sprinkler irrigation systems must be prepared and approved in accordance with the above-referenced specifications. Prior to commencement of service to any on-site system using recycled water, as-built record drawings shall be provided and approved by the District. The installed system shall be tested under active conditions to ensure that the operation is in accordance with the intent of these Rules and Regulations.

9.18.03.02 **Marking Safe and Unsafe Water Lines.** Where the premises contain dual or multiple water systems and piping, the exposed portions of pipelines shall be painted, banded, or marked at sufficient intervals to distinguish clearly, which water is safe and which is not safe in accordance with health department requirements. The same color purple or lavender shall always be used to indicate recycled water throughout the system. All outlets from recycled systems shall be posted as being contaminated and unsafe for drinking purposes.

9.18.03.03 **Water Main Separation.** Potable water mains shall be at a location as far as possible above the elevation of nearby recycled water lines, and recycled water lines shall be at a location as far as possible above the elevation of nearby sanitary sewers. These separation distances shall comply with the minimum separation criteria in the State and local health requirements. In the event that particular conditions create a situation where minimum separation criteria cannot be met, the California Department of Health Services' "Criteria for the Separation of Water Mains and Sanitary Sewers" shall be used.

9.19 RECYCLED WATER FACILITIES OPERATION

9.19.01 **Interruption of Service:** All recycled water delivery shall be on an interruptible basis, depending on the quantity and quality of the recycled water delivered to the District, in accordance with the terms of the individual service agreement between the District and the applicant, owner, or customer. Supplemental supplies from potable water sources are available to the recycled system and may be used in lieu of recycled water in the event of an interruption.

9.19.02 **Operation of Off-Site Recycled Water Facilities:** Operation and surveillance of all of the District's off-site recycled water system facilities, including but not limited to, recycled water pipelines, reservoirs, pumping stations, manholes, valves, connections, supply interties, and other appurtenances and property, up to and including the District's meter assembly, shall be under the management and control of the District. No other persons, except authorized employees of the District, shall have any right to enter upon, inspect, operate, adjust, change, alter, move, or relocate any portion of the foregoing or any of the District's property.

9.19.03

Operation of On-Site Recycled Water Facilities: The operation and surveillance of all on-site recycled water system facilities, including but not limited to, landscape irrigation systems, agricultural irrigation systems, and systems utilized for industrial process purposes shall be under the management of a Recycled Water Site Supervisor designated by the applicant, owner, or customer. The District may, from time-to-time, require that a Recycled Water Site Supervisor obtain instruction in the use of recycled water, such instruction being provided or approved by the District. The District, as well, may inspect the on-site system per Article 9.20.

9.19.03.01 The applicant, owner, or customer shall have the following responsibilities in relation to operation of on-site facilities:

- a) To make sure that all operations personnel are trained and familiarized with the use of recycled water.
- b) To furnish their operations personnel with maintenance instructions, controller charts, and record drawings to ensure proper operation in accordance with the on-site facilities' design and these Rules and Regulations.
- c) To prepare and submit to the District one (1) set of record drawings of all on-site facilities installed for the conveyance of recycled water.
- d) To notify the District of any and all updates or proposed changes, modifications, or additions to the on-site facilities. Such changes shall be reviewed by the District and shall be designed and constructed in accordance with Article 9.18.03 herein. In accordance with the above-referenced requirements, conditions, and standards, changes must be submitted to the District for review and approval prior to construction. The construction shall be inspected by the District and revised record drawings and controller charts shall be delivered to the District. The District may, if it deems such to be in the best interests of the District, waive or modify any of the foregoing.
- e) To ensure that the design and operation of the recycled water facilities remain in compliance with these Rules and Regulations, including the District's Standard Specifications for the Construction of Water Facilities.
- f) To operate and control the system in order to prevent direct human consumption of recycled water, to limit direct human contact with recycled water, and to control and limit runoff. The applicant, owner, or customer shall be responsible for any and all subsequent uses of the recycled water. Operation and

control measures to be utilized in this regard shall include, where appropriate but not limited to, the following:

- (1) On-site recycled water facilities shall be operated to prevent discharge onto areas not under control of the customer. Semi-circle sprinklers shall be used adjacent to sidewalks, roadways, and property lines to confine the discharge from sprinklers to the design area.
- (2) Recycled water shall be applied at a rate that does not exceed the infiltration rate of the soil. Where varying soil types are present, the design and operation of the recycled water facilities shall be compatible with the lowest infiltration rate present.
- (3) When the application rate exceeds the infiltration rate of the soil, automatic systems shall be utilized and programmed to prevent the ponding and runoff of recycled water.
- (4) Any and all failures in the on-site system that cause an unauthorized discharge of recycled water shall be immediately reported to the District.
- (5) To comply with any and all applicable Federal, State, and local statutes, ordinances, regulations, and contracts, these Rules and Regulations, and all requirements prescribed by the Board and the General Manager.

9.19.03.02 **Implementation of On-Site Controls:** On-site controls have been promulgated by the Los Angeles County Department of Health Services (LACDHS) and the California Department of Health Services (CDHS) to protect the health of the public at large and the employees of recycled water users. The minimum necessary on-site controls are contained in *Guidelines for use of Reclaimed Water* issued by the CDHS, in the Los Angeles County Public Health Code, and in Title 17 of the California Code of Regulations.

9.19.03.03 **Local Regulation:** Recycled water system on-site controls shall meet or exceed all of the requirements established by the applicable State and local regulatory agencies to protect the public health.

9.19.03.04 **Operational Controls:** The minimum necessary operational controls shall include, but not be limited to, those stipulated below:

- a) **Irrigation Usage.** Irrigated areas must be kept completely separated from domestic water wells and reservoirs. A minimum of 500 feet shall be provided. Irrigation should be controlled to minimize ponding of wastewater and runoff should be contained and properly disposed.

- b) **Landscape Irrigation.** Irrigation should be done so as to prevent or minimize contact by the public with the sprayed material, and precautions should be taken to ensure that recycled water will not be sprayed on walkways, passing vehicles, buildings, picnic tables, domestic water facilities, or areas not under control of the user. Irrigation should be practiced during periods when the grounds will have maximum opportunity to dry before use by the public unless provisions are made to exclude the public from areas during and after spraying with recycled water. Windblown spray from the irrigation area should not reach areas accessible to the public. Drinking water fountains should be protected from direct or windblown recycled water spray.

- c) **Additional Protection.** All persons entering the premises for any reason shall be made aware by the user of the potential health hazards involved with contact or ingestion of recycled water. All recycled water valves, outlets, and sprinkler heads should be appropriately tagged to warn such persons that the water is not safe for drinking or direct contact. Adequate first aid kits should be available on location, and all cuts and abrasions should be treated promptly to prevent infection. A doctor should be consulted where infection is likely. Precautionary measures should be taken to minimize direct human contact with recycled water or recycled water sprays. All persons involved in more than a casual contact with recycled water should be provided with protective clothing. At crop irrigation sites, the crops and soil should be allowed to dry before harvesting. Provisions should be made for a supply of safe drinking water. Where bottled water is used for drinking purposes, the water should be in contamination-proof containers and protected from contact with recycled water or dust. The water should be of a source approved by the local health authority. Toilet and washing facilities should be provided. Precautions should be taken to avoid contamination of food taken to areas irrigated with recycled water

and food should not be taken to areas still wet with recycled water.

9.19.03.05 **Physical Attributes of On-Site System (General):** All recycled water valves, outlets, and sprinkler heads should be of a type that can only be operated by authorized personnel. Identification of facilities should include the following:

- a) All valve boxes shall be purple plastic with the words, "Recycled Water," cast into the plastic lid.
- b) All control valves must have a plastic label attached with a nylon tie wrap with the words, "Recycled Water – Do Not Drink," in English and Spanish.
- c) All aboveground risers shall be labeled with a self-adhesive label with the same warning as the label for control valves.
- d) All flush, pop-up sprinkler heads must be made of purple plastic.
- e) All below-grade piping must be purple "Alert Line" pipe with the words, "Recycled Water – Do Not Drink." This applies to both permanent and intermittent pressure pipe. This requirement does not apply to fittings and risers.
- f) No hose bibs are allowed on recycled water systems. Quick couplers are allowed but must be made for recycled water systems. Quick couplers must also be placed in purple plastic valve boxes.
- g) No on-site backflow prevention assembly shall be allowed on any recycled water system serving landscape, turf, or crop irrigation.

9.19.03.06 **Retrofit of Existing Irrigation Systems.** All existing systems to be retrofitted are subject to inspection by the County Health Department. All existing irrigation systems to be converted to recycled water must have the same identification as a system installed per Article 9.19.03.05 with the following exceptions:

- a) The existing piping need not be changed to purple plastic. However, any new PVC installed must be purple (i.e., the new connection piping to the recycled water source).
- b) The existing flush pop-up sprinkler heads may have snap-on purple plastic warning rings attached.
- c) Any existing concrete control valve boxes may be painted purple and stenciled with the words, "Recycled Water – Do Not Drink," in lieu of replacing them with purple plastic boxes.

The operator of the irrigation system to be retrofitted to recycled water must provide to the District the following prior to the District allowing final tie-over to the recycled water system:

- a) A detailed site plan identifying the location of heads, valves, hose bibs, quick couplers, point of connection, etc., for the system to be converted to recycled water. This site plan shall have notes identifying the retrofit work to be done (i.e., snap-on rings, hose-bib to quick coupler, etc.). The plan shall identify the disconnect and new connection location. The location for the new recycled water meter must appear on the site plan.
- b) A dye test or dual pressure test of the existing irrigation system must be performed by an experienced, licensed backflow or cross-connection contractor at the customer's expense. A dual pressure test may be performed in lieu of the dye test if it is permitted by the Health Department. The isolation testing must be witnessed by the County Health Department. A letter from the contractor performing the dye/pressure test must be forwarded to the District office certifying the absolute separation of the domestic and irrigation systems.
- c) Following completion of all retrofit work, the system shall be inspected by the District's cross-connection control technician and Health Department for compliance with these Rules and Regulations. Any discrepancies with the requirements must be remedied by the customer at the customer's sole expense prior to final tie-in to the recycled water system.
- d) Following final approval and inspection by the District and County Health Department, the applicant may perform the tie-in to the recycled water system. The final tie-in and severing of the original source of supply must be inspected by District staff.

9.19.03.07 **Posting of On-Site Warnings.** Adequate means of notification shall be provided to inform the public at large and employees of users that recycled water is being used. Such notification shall include the posting of conspicuous warning signs with proper wording of sufficient size to be clearly read, which shall be posted at adequate intervals around the use area. In some locations, especially at crop irrigation use areas, the warning signs shall be in Spanish as well as English.

At golf courses, notices should be printed on scorecards stating that recycled water is used, and the spacing and locations of signs shall be coordinated with the District.

9.20 RECYCLED WATER MONITORING AND INSPECTION

The General Manager, or authorized representatives of the District, shall monitor and inspect the entire recycled water system, including both on-site and off-site facilities. The District shall conduct monitoring programs, maintain a record as deemed necessary, and provide reports as requested by regulatory agencies, including the California Regional Water Quality Control Board. The General Manager, or authorized representatives of the District, in carrying out these functions, shall have the right to enter upon the customer's premises during reasonable hours for the purpose of inspecting on-site recycled water facilities and areas of recycled water use and to ensure compliance with these Rules and Regulations, including the provision that runoff be controlled and limited and the provision that cross-connections between potable water facilities and recycled water facilities do not exist. Monitoring of the on-site system may include periodic dual pressure tests to ensure that no cross-connections exist.

9.21 RECYCLED WATER APPLICABLE FEES AND CHARGES

- 9.21.01 **Establishment of Rates:** Rates to be charged and collected and terms, provisions, and conditions to be effective, respecting such rates for recycled water service supplied by the District, shall be as fixed and established by the Board from time-to-time and published in Appendix A herein. Such charges shall be subject to the terms of any existing recycled water service agreements. This provision is in addition to and not by way of derogation of any other remedies or procedures available to the District pursuant to any law or regulations, or by any of the provisions of these Rules and Regulations.
- 9.21.02 **Change of Service Charge:** The District reserves the right to change the schedule of recycled water service charges and other charges at any time, or from time-to-time, subject to the terms of any existing recycled water service agreements.
- 9.21.03 **Service Charge Billing:** Recycled water service charges will be rendered as part of the District Recycled Water Service Bill at intervals of one (1) month or multiples thereof.
- 9.21.04 **Metering:** For the purpose of computing charges, each meter upon the customer's premises will be considered separately.
- 9.21.05 **Time and Manner of Payment:** All bills and charges for recycled water service hereunder shall be due and payable upon presentation and shall become delinquent after the term defined in the service agreement, or thirty (30) days after presentation. Such bills and charges shall be deemed to have been presented upon having been deposited in the United States mail, postage paid and addressed to the applicant, owner, or customer as reflected in the records of the District.

9.21.05.01 If payment is not made within the term defined in the service agreement, or thirty (30) days after presentation, the recycled water service may be disconnected without further notice and recycled water service shall not again be supplied until all overdue bills, including a penalty as established from time-to-time by the District, have been paid. Payment shall be made in person or by mail at offices of the District.

9.21.05.02 Disconnection of service by reason of an overdue bill shall not automatically constitute revocation of permit. However, such delinquency may be considered as sufficient reason for a revocation of permit in accordance with the provisions of these Rules and Regulations.

9.21.06 **Disputed Bills:** The procedure to be used to contest the accuracy of charges for retail recycled water delivery is as follows:

9.21.06.01 Within five (5) days of receipt of the bill for recycled water service, the customer may initiate an investigation into the accuracy of the charges set forth on the bill. Such protest shall be in writing, shall set forth in detail the basis for the dispute, and shall be delivered to the District at its office.

9.21.06.02 The customer shall be required to pay the disputed bill in full at the time the protest is filed with the District.

9.21.06.03 Upon receipt of the protest, the District hearing officer shall review the protest to determine whether additional information or clarification is necessary to adequately evaluate the dispute. If additional information or clarification is deemed necessary, the hearing officer may request such additional information or clarification from the customer. Upon receipt of all information required to evaluate the customer's dispute, a hearing date shall be set before the hearing officer. After evaluation of the evidence provided by the customer and the information on file with the District concerning the recycled water charges in question, the hearing officer shall render a decision as to the accuracy of the recycled water charges and shall provide the customer with a brief written summary of the decision.

a) If the charges are determined to be incorrect, a corrected invoice will be provided, and either a refund or a credit will be issued, as directed by the customer.

b) If the charges are determined to be correct, no further billing will be provided, and the customer's account will reflect payment in full of the bill in question.

c) At the time the hearing officer renders his or her decision, the customer will be advised of the right to further

appeal to the General Manager, and that such further appeal must be made in writing and delivered to the District within ten (1) days of the date the hearing officer's decision is rendered.

- 9.21.06.04 Upon receipt of a written appeal to the General Manager, a hearing date will be scheduled. The customer will be required to personally appear before the General Manager and present evidence and reasons as to why the decision of the hearing officer should not be upheld. The General Manager shall evaluate the evidence presented by the customer and the information on file with the District concerning the charges in question, and shall render a decision as to the accuracy of those charges. The General Manager's decision is final and binding.

9.22 ENFORCEMENT AND PENALTIES

Any person, firm, corporation, association, or agency found to be violating any provision of these Rules and Regulations, or the terms and conditions of the applicant's, owner's, or customer's service agreement, permit, or any applicable Federal, State, or local statutes, regulations, ordinances, or other requirements, shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. This provision is in addition to and not by way of derogation of any other remedies or procedures available to the District by law, regulation, or pursuant to any of the provisions of these Rules and Regulations.

Failure to permanently cease all violations within the time stated shall result in revocation of the permit by the District and disconnection of recycled water service. Violations regarding any restrictions within these Rules and Regulations may result, at the sole discretion of the General Manager, in disconnection of recycled water service in the following manner.

- 9.22.01 Interim Revocation: In cases where the serious nature of the violations described above require immediate action, the General Manager may, at the sole discretion of the General Manager, immediately revoke the permit on an interim basis and thereupon disconnect recycled water service, subject to a timely decision on permanent revocation of permit pursuant to a public hearing as provided herein.

- 9.22.02 Permanent Revocation: Permanent revocation of a recycled water permit shall occur only subsequent to a public hearing held in the manner hereinafter provided. The applicant, owner, or customer shall be given written notice ten (10) calendar days prior to a hearing on the possible permanent revocation of any permit by the District. The notice shall specify the grounds of the proposed revocation of any such permit in reasonable detail and it may, but need not, describe corrective action acceptable to the District. Notice may be delivered personally to the applicant, owner, or customer, or it may be given by deposit in the United States mail with postage prepaid, addressed to the applicant, owner, or

customer either at the address for the applicant, owner, or customer as reflected in the records of the District or as shown on the last equalized assessment roll of the County as defined in the Revenue and Taxation Code of the State of California. Any such action to permanently revoke the permit shall be effective ten (10) consecutive calendar days after notice of the Board's decision and shall be either personally delivered to the applicant, owner, or customer or placed in the United States mail, postage prepaid, addressed to the applicant, owner, or customer in the manner herein above specified. Any request to re-establish service subsequent to the revocation of a permit and the disconnection of recycled water service shall be in the manner prescribed for initially obtaining service from the District, which may include the collection of a security deposit in an amount determined by the Director of Finance. However, in addition, the District may, at its discretion, require that a service agreement and financial security conditioned upon compliance with the District's Rules and Regulations be provided in an amount, manner, and for a period of time as determined by the Board.

9.23 FUTURE RECYCLED WATER EXPANSION

The District requires the installation of separate meters for potable and landscape irrigation needs for commercial and industrial property per Section 4.07.05. In the event recycled water is currently unavailable at the property but expansion of the recycled system to the property is foreseeable, the District may require the installation of new commercial irrigation systems to be in compliance with Sections 9.18 and 9.19.

9.24 WHOLESALE RECYCLED WATER SERVICE

In some instances the District may, by special agreement, provide recycled water on a wholesale basis. All applicable regulations apply to such sale of recycled water, as provided in this Article 9, except in those instances where the wholesale recycled customer undertakes to comply with such regulations on its own, and applicable law authorizes such undertaking by the customer. In all instances, the responsibility for compliance with laws and regulations applicable to the sale and delivery of recycled water will be provided for in a written agreement between the District and the wholesale recycled water customer. The applicable rate for such water service shall be set forth in the agreement between the District and the wholesale recycled water customer. Unless otherwise set forth in the agreement, the provisions of Article 9.21 regarding billing, payment of bills, and billing disputes shall apply.

The foregoing provisions of these Rules and Regulations are a requirement of any permit, and any application for service and permit therefore shall be subject to such provisions. The Board, if it deems such to be in the best interests of the District, may, on an interim basis or otherwise, waive or modify any of the foregoing.

- END OF ARTICLE 9 -