

13.18.210 Unauthorized releases

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All Unauthorized Releases shall be reported to the Director of Public Works according to the provisions of this section. All Unauthorized Releases shall be recorded in the Owner's inspection and maintenance log. An authorized release is an "unauthorized release requiring recording" if the release is completely captured by the Containment Device. If the Containment Device fails to contain the entire release, the release is an "unauthorized release requiring reporting."

A. Unauthorized Releases Requiring Recording:

1. Unauthorized releases requiring recording shall be reported to the Director of Public Works within 24 hours after the release has been, or should have been detected.
2. The incident report shall be accompanied by a written record including the following information:
 - a. The type, quantities, and concentration of Regulated Substances released.
 - b. Method of cleanup.
 - c. Method and location of disposal of the released Regulated Substances including whether a hazardous waste manifest(s) is used.
 - d. Method of future release prevention or repair. If this involves a change in operation, monitoring, or management, the Owner must apply for a new Operating Permit.
 - e. Facility Operator's name and telephone number.
3. The Director of Public Works shall review the information submitted pursuant to the report of an Unauthorized Release requiring recording, shall review the Operating Permit, and may inspect the Facility. The Director of Public Works shall either find that the containment standards of this Chapter can continue to be achieved or shall recommend the revocation of the permit until appropriate modifications are made to allow compliance with the standards.

B. Unauthorized Releases Requiring Reporting:

1. Unauthorized releases requiring reporting shall be verbally reported to the Director of Public Works immediately.
2. A written report shall be submitted within 48 hours containing the following information that is known at the time of filing the report:
 - a. List of type, quantity, and concentration of Regulated Substances released.
 - b. The results of all investigations completed at that time to determine the extent of soil or Groundwater or surface water contamination because of the release.
 - c. Method of cleanup implemented to date, proposed cleanup actions and approximate cost of actions taken to date.
 - d. Method and location of disposal of the released regulated substance and any contaminated soils, Groundwater, or surface water.
 - e. Proposed method of repair or replacement of the Containment Device.
 - f. Facility Owner's name and telephone number.
 - g. Facility Operator's name and telephone number.
3. Until cleanup is complete, the Owner shall submit reports containing the information required by Section 13.18.160(2). to the Director of Public Works every month or at a more frequent interval specified by the Director of Public Works.
4. The Director of Public Works shall either find that the containment objectives of this Chapter can continue to be achieved or shall recommend the revocation of the permit until appropriate modifications are made to allow compliance with the standards.
5. Upon confirmation of an Unauthorized Release to Groundwater, the Owner shall be responsible for immediately accomplishing the following:
 - a. Locate and determine the source of the Unauthorized Release of the regulated substance(s).
 - b. Stop and prevent any further Unauthorized Release(s).
 - c. Comply with the requirements for an Unauthorized Release(s) reporting.
6. No new regulated substance(s) may be introduced at the Site of the regulated substance(s) that caused the violation.
7. If an Unauthorized Release creates or is expected to create an emergency situation with respect to the drinking water supply of the City or a public water supply Well within 1000 feet (305 meters) of the City, and if the Facility Owner fails to address the Unauthorized Release within 24 hours of the occurrence, the City or its authorized agents shall have the authority to implement removal or remedial actions. Such actions may include, but not be limited to, the prevention of further Groundwater contamination: installation of Groundwater monitoring Wells; collection and laboratory testing of water, soil, and waste samples; and cleanup and disposal of Regulated Substances. The Facility Owner and Operator jointly and severally shall be responsible for any costs incurred by the City or its authorized

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agents in the conduct of such remedial actions, including but not limited to all consultant, engineering and attorney fees.

8. Reporting a release to the Director of Public Works does not exempt or preempt any other reporting requirements under federal, state, or local laws.