

East Bay Regional Private Sewer Lateral Program

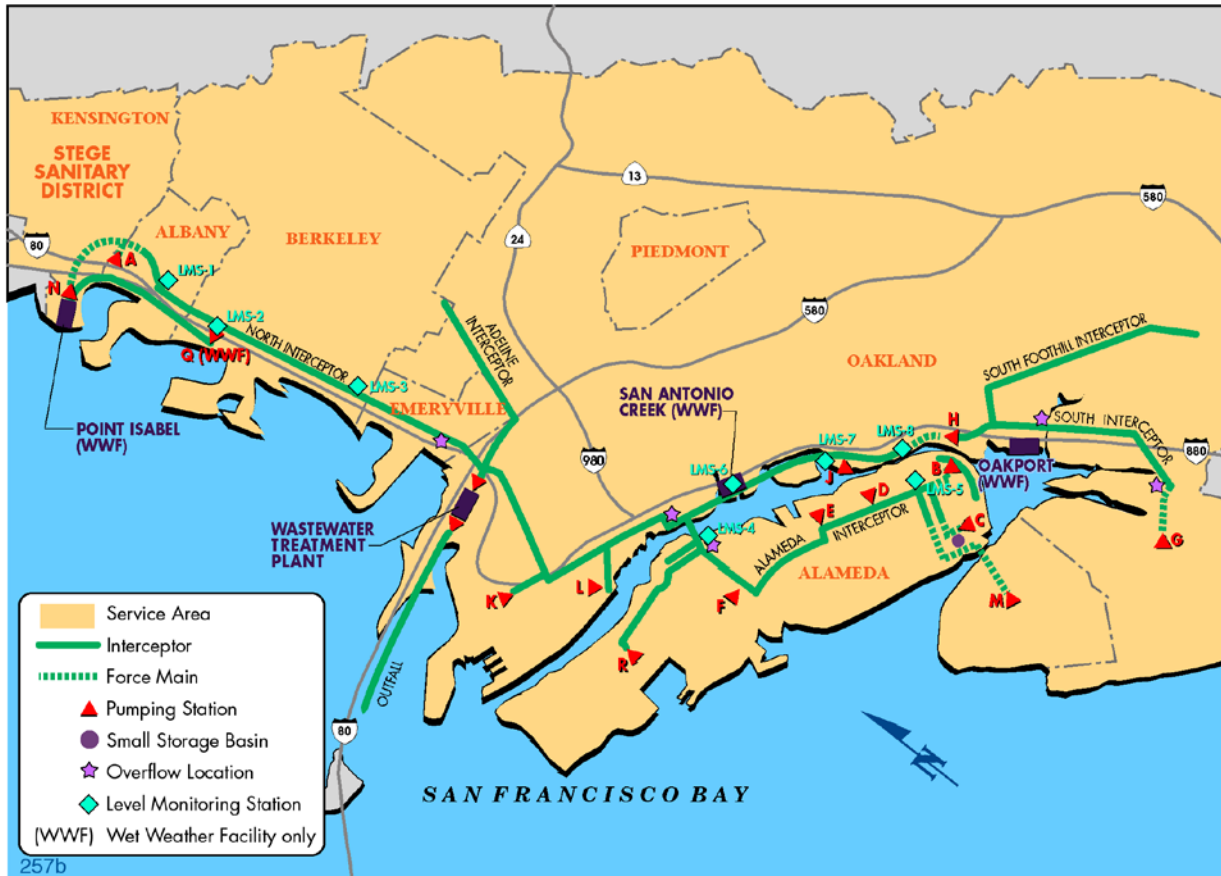
Real Estate Professionals Information Meeting

December 10, 2013

Presentation Outline

- **Background**
 - EBMUD Wastewater Service Area
 - Why this program is required
 - What is a PSL?
 - Ordinance Requirements
- **Helping your clients**
 - When and how to obtain:
 - Exemption Certificate
 - Time Extension Certificate
 - Compliance Certificate
 - Condominiums, Townhomes and Other Common Interest Developments
 - Enforcement
 - Upcoming Fee Changes
- **Your Questions**

EBMUD Wastewater Service Area

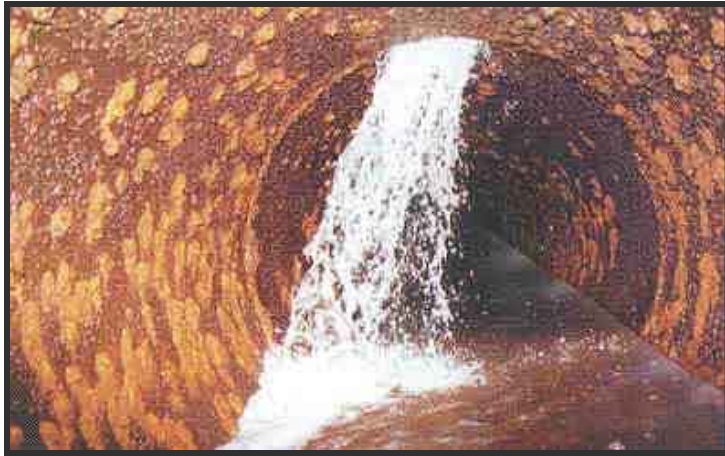


EBMUD WASTEWATER SERVICE AREA

- 6 cities and 1 sanitary district
- ~650,000 people

THE PROBLEM: 400 million gallons of partially treated wastewater are discharged to SF Bay each year due to inflow and infiltration (I/I) from poorly maintained sanitary sewer collection systems and private sewer laterals

What is Inflow and Infiltration (I/I)?



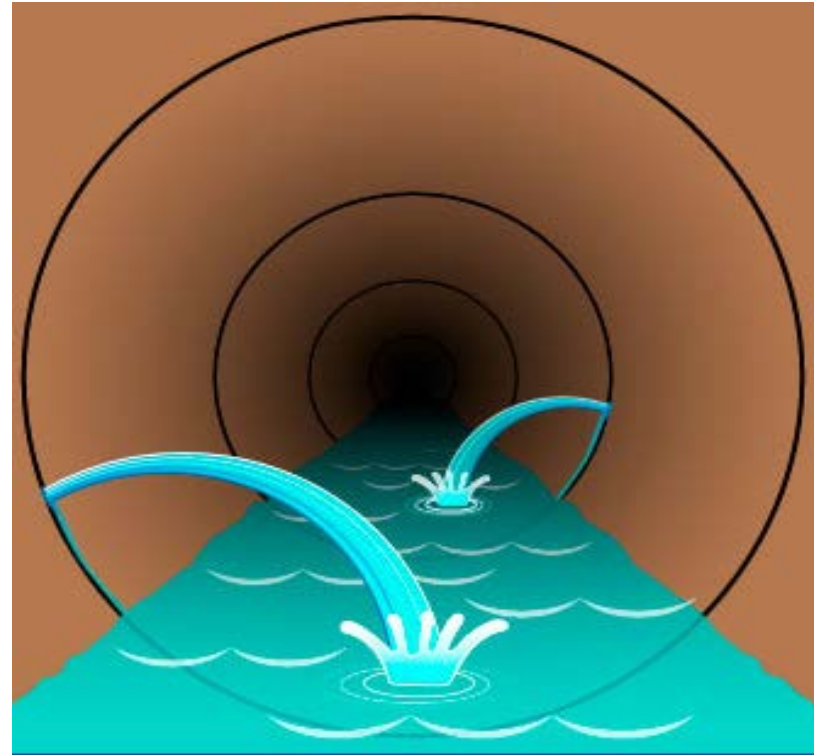
- Inflow is stormwater entering the sewer system through
 - illegal direct connections
 - improperly located storm drain inlets
- Infiltration is stormwater and/or groundwater entering the sewer system through
 - cracks
 - holes
 - offset joints



- During the rainy season, inflow and infiltration can lead to a 10-fold increase in the volume of wastewater that makes its way to EBMUD's Main Wastewater Treatment Plant
- This can result in partially treated wastewater being released into the bay

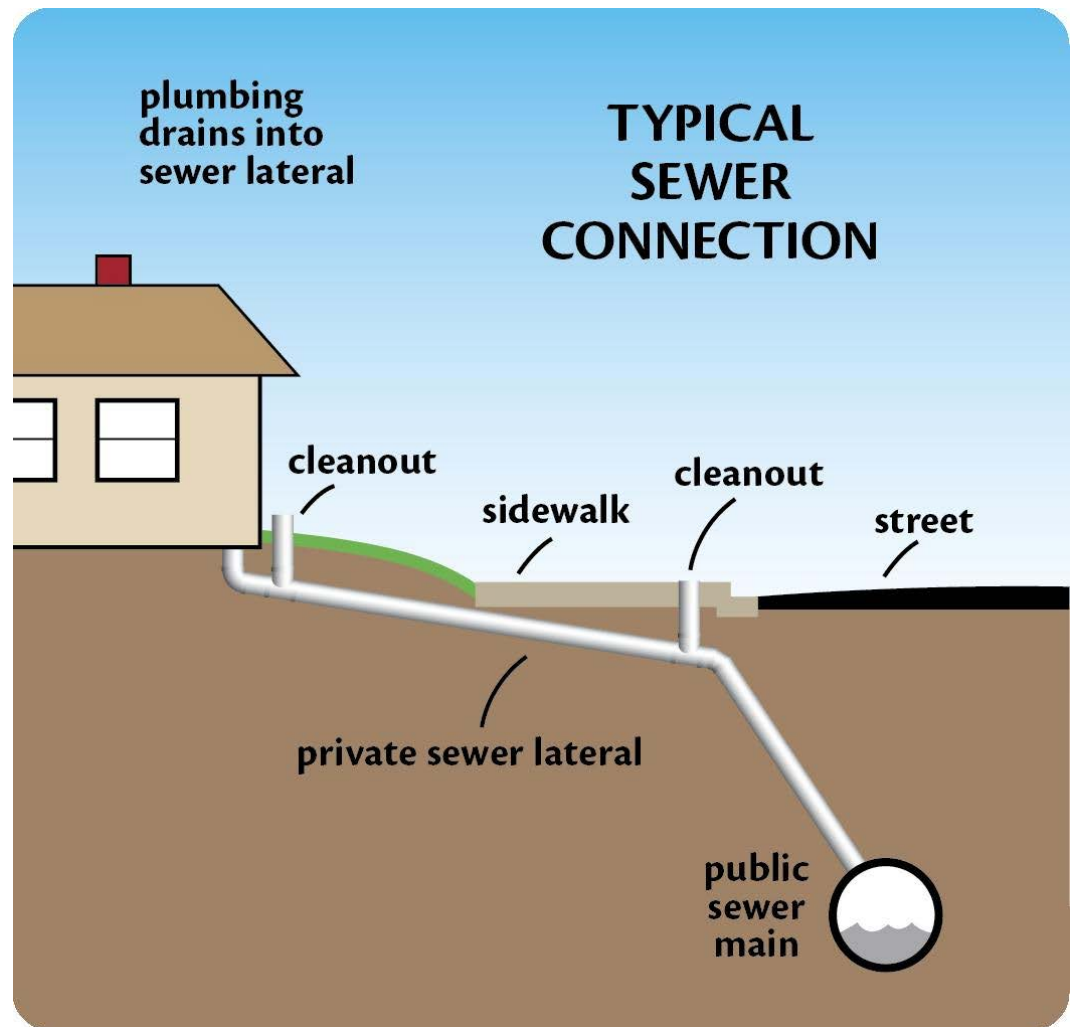
Why is this program required?

- I/I is not a new problem
- \$625 million of I/I infrastructure and facility investment by EBMUD and the cities since 1986
- In 2009, EPA and the RWQCB required EBMUD and the Cities to adopt an ordinance and develop a Regional Private Sewer Lateral Program to address the issue of excess rainwater entering the sewer system
- About half of the pipes in EBMUD's wastewater service area are private sewer laterals (PSL) – so more work is needed



What is a private sewer lateral?

- The pipe that transports waste from a property to the city's sewer system
- Property owner is responsible for the entire lateral



What does the PSL Ordinance require?

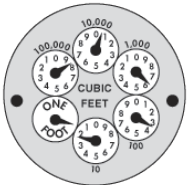
- Requires property owners to obtain a Compliance Certificate from EBMUD as proof that their private sewer laterals are free of leaks when:



buying or selling their property



performing construction or remodeling valued at or greater than \$100,000, or



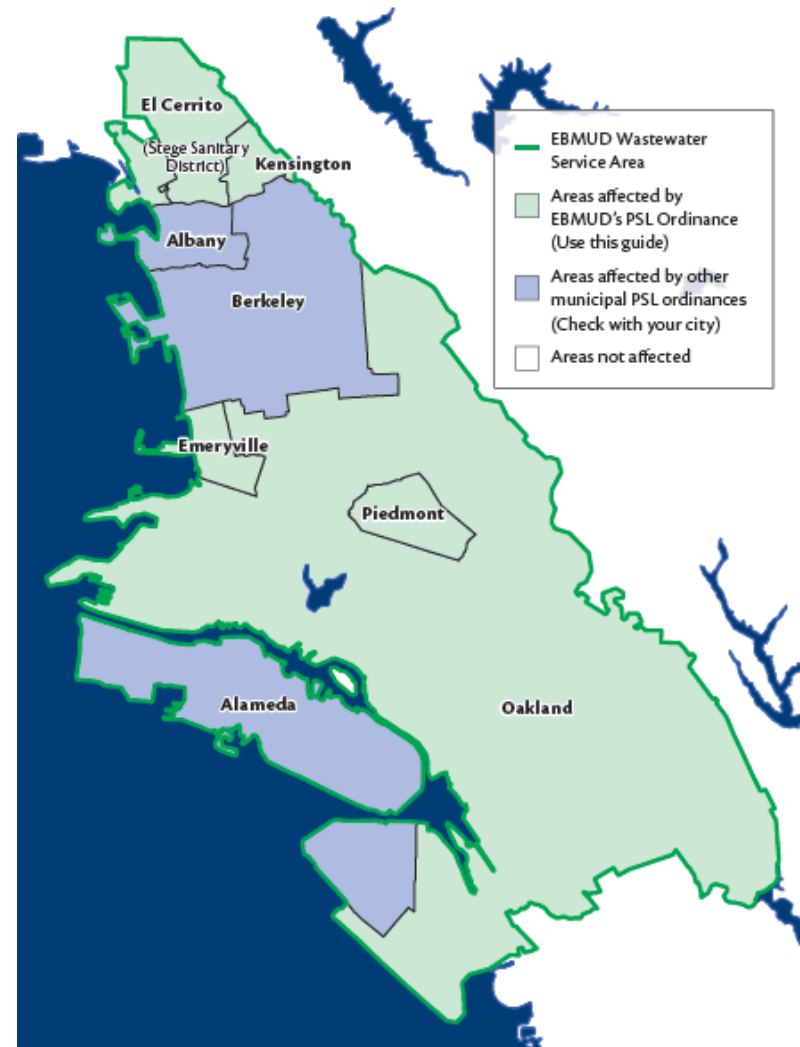
increasing/decreasing water meter size

Special requirements / exemptions

1. Time extension - up to 6 mos. (*For Property Sale only and requires \$4500 to be deposited with EBMUD*)
2. Exemption - if the PSL was completely replaced within 10 years prior to ordinance effective date
3. Multi-unit complexes with individually-owned units with a shared lateral/laterals (e.g. condominiums) have until July 2021 to comply

Who is affected ?

- Oakland, Piedmont, Emeryville and the Stege Sanitary District (El Cerrito, Kensington and Richmond Annex)
 - *Albany currently manages its own program but will join the Regional Program in 2014*
 - *Berkeley and Alameda manage their own programs but Alameda is also considering joining the Regional Program*



Effective Dates

AGENCY	EFFECTIVE DATE
<ul style="list-style-type: none">• Piedmont• Emeryville	August 22, 2011
<ul style="list-style-type: none">• Stege Sanitary District	October 17, 2011
<ul style="list-style-type: none">• Oakland	January 16, 2012

Effective for escrows, building/remodel permits, or water service applications opened on or after start date


All properties must comply

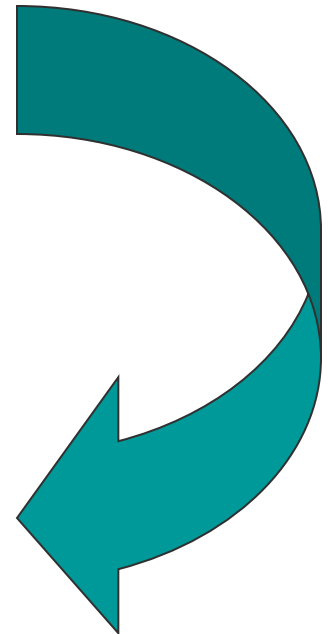
- Includes:
 - residential
 - commercial
 - industrial properties
- Includes:
 - Bank-owned properties
 - Short sales

Title transfers NOT subject to ordinance

- Include:
 - by a fiduciary administering a decedents estate for transfer to an heir
 - between co-owners
 - from co-owners into or from a revocable trust
 - by a trustor to fund a living trust
 - to a spouse or registered domestic partner
 - to a person who is in the lineal line of consanguinity to one or more of the transferors
 - title transfers as a result of divorce or legal separation
 - to a financial institution resulting from a foreclosure or similar process (When the bank sells, the requirement must be satisfied)
- Others
 - Vacant lots, septic systems, pressurized laterals

Helping your clients

-  Communicate PSL Program Requirements to the buyer and seller early in the process
 - Buyer or seller can obtain the Compliance Certificate
- Your clients will follow one of 3 paths to complete the sale
 1. Exemption Certificate
 2. Time Extension Certificate
 3. Compliance Certificate



Exemption Certificate

Is the PSL eligible for an Exemption Certificate?

It may be eligible if:

1

PIEDMONT
EMERYVILLE
OAKLAND

- Lateral was completely replaced within 10 years prior to ordinance effective date, and
- City verifies replacement work and that the permit was finalized

OR

2

STEGE

- Lateral was completely replaced within 10 years prior to ordinance effective date, and
- Has an un-expired Compliance Certificate from Stege Sanitary District (El Cerrito, Kensington, Richmond Annex)

Exemption Certificate Process

PIEDMONT
EMERYVILLE
OAKLAND

1. Lateral replaced < 10 yrs prior to ordinance with proof of permitted work

- Apply at www.eastbaypsl.com
- Parcel information will be verified with each city
- EBMUD will approve or deny
- *Verification process may take days or weeks – apply early!*

STEGE

2. Lateral replaced < 10 yrs prior to ordinance with Stege Compliance Certificate

- Call or email EBMUD at 1-866-40-EBMUD or psl@ebmud.com to see if there is an un-expired Compliance Certificate
- If yes, apply at www.eastbaypsl.com
- EBMUD will review and approve

If request is denied, obtain a Compliance Certificate or Time Extension Certificate

Time Extension Certificate

Can PSL work be done prior to title transfer?

If no:



- Obtain a Time Extension Certificate - \$225
- Allows 6 months to obtain Compliance Certificate
- Requires a \$4500 deposit with EBMUD
- Deposit is required to guarantee that work will be done
- Deposit is refunded in full after a Compliance Certificate is obtained

Time Extension Certificate Process

1. Log on to www.eastbaypsl.com, apply for a Time Extension Certificate
2. Fill out refund recipient information and pay \$225 fee
3. Print and sign the Time Extension Certificate
4. Before title transfer or upon title transfer, mail the certificate and \$4500 deposit to EBMUD

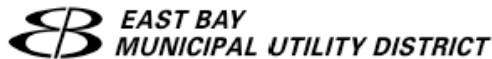


**BE SURE THAT THE TITLE COMPANY OR APPLICANT
MAILS THE CERTIFICATE TO EBMUD WITH THE
DEPOSIT**



**BE SURE THAT YOUR CLIENT KEEPS A COPY OF THE
TIME EXTENSION CERTIFICATE**

Sample Time Extension Certificate



**Regional Private Sewer
Lateral Program**

Time Extension Certificate for Private Sewer Lateral

Parcel Address: **123 ANYSTREET, ANYCITY**
Parcel Number: **123-456-789-0**
Expiration Date: **12/06/2012**

Certificate Number: **1312**
Issue Date: **06/06/2012**
Type: **Time Extension**

Special Instructions:

This Time Extension Certificate is for property sale only and is NOT renewable. TO BE VALID, THIS CERTIFICATE MUST BE COMPLETED AND MAILED TO EBMUD UPON TITLE TRANSFER ALONG WITH A \$4500 DEPOSIT CHECK MADE PAYABLE TO EBMUD-PSL (INCLUDE THE PARCEL NUMBER ON THE CHECK). Mail check and completed form to EBMUD-PSL REMITTANCE CENTER, P.O. BOX 24055, Oakland, CA 94607-4240.

Failure to obtain a Compliance Certificate within 180 days from the issue date of the Time Extension Certificate may result in the forfeiture of the deposited funds and enforcement action, per EBMUD ORDINANCE 311, Title VIII, Section 6.

Name of Refund Recipient

Mailing Address of Recipient

Phone

Date

Applicant Name (Print)

Applicant Signature

Date

Time Extension Certificate (TEC) FAQs

- *Who obtains the TEC?*

Anyone – but the applicant must sign

- *Does the \$4500 deposit have to be held in escrow?*

No. We receive the TEC and deposit either upon close of escrow or before close of escrow

1. When the \$4500 deposit is held in escrow, the deposit and completed TEC are sent to EBMUD upon close of escrow
2. When the \$4500 deposit is not held in escrow we receive a check and the completed TEC just before or upon the close of escrow

TEC FAQs (continued)

- *How can applicants get their \$4500 refund?*
 - EBMUD checks its system several times a week for issued Compliance Certificates and processes the paperwork automatically
 - Applicants can also call or email EBMUD at 1-866-40-EBMUD or psl@ebmud.com for more information

- *Who gets the refund?*

The person(s) whose name was entered into the system when the TEC was purchased

- *How long does it take to get the refund?*
 - 1 to 2 weeks depending on when the Compliance Certificate is issued and Accounting Division Workload
 - Checks are issued every Friday
 - Cut off for submitting paperwork is 12 pm Wednesdays

Compliance Certificate

Can PSL work be done prior to title transfer?

If yes => Obtain a Compliance Certificate

Compliance Certificate Process

Step 1: Check lateral condition

Step 2: Obtain city permits

Step 3: Schedule an EBMUD verification test

Step 4: Have required work done

Step 5: Pass the verification test and print
Compliance Certificate

Step 1: Check lateral condition

- Hire a plumbing contractor to check the lateral condition (usually done by video)
 - *Videos cannot be used to obtain a Compliance Certificate*
- If the lateral *does not* require repair, schedule an appointment for an EBMUD verification test
- If it *does* require repair, plan and schedule the repair work

Step 2: Obtain City permits

- City permits are required for sewer work
- Contractor usually applies for permits on behalf of the property owner
- Contractor licensing requirements vary by city. Check with City permit counter for details

Step 3: Schedule an EBMUD verification test online

- Schedule appointment online at start of work
 - Property owners or contractors may complete this step
 - EBMUD will verify that the fixed lateral does not leak
- Pay \$225 Compliance Certificate fee
 - pay online with a credit card
 - If no online access, pay with cash or check at EBMUD's Oakland Office

The screenshot displays the 'EAST BAY REGIONAL PRIVATE SEWER LATERAL PROGRAM' website. It features a navigation menu on the left with links like 'Home', 'What is a PSL?', 'Compliance Certificate', 'Exemption Certificate', 'Time Extension Certificate', 'Guidelines and Resources', 'FAQ', 'Privacy', and 'Contacts'. The main content area includes a 'SITE MAP' section and a 'Reservation Request for PSL Inspection for Compliance Certificate' form. The form contains fields for property address, owner name, owner email, owner phone, and EBMUD account number. Below these, there's a section for contractor information, including company name (Stewie's Sewie Repair), phone number (555-5555), and mobile phone number. A 'Special Instructions' field is also present. At the bottom, there's a calendar interface for selecting an inspection appointment window, with a warning about 48-hour cancellation notice and buttons for 'Prev Weeks' and 'Next Weeks'.

EAST BAY REGIONAL PRIVATE SEWER LATERAL PROGRAM

Property Address: 760 11TH ST OAKLAND Parcel Number: 002 -0009-022-00

Owner Name: Owner Email:

Owner Phone: EBMUD Acct. No.:

Reservation Request for PSL Inspection for Compliance Certificate

Please enter the following information (* = required):

Contractor Company that will perform the verification test*: Stewie's Sewie Repair

Contractor Phone*: 555-5555

Contractor Mobile Phone:

Special Instructions:

Please select an inspection appointment window from the following*:

(Contractor must be ready for the inspection at the beginning of the appointment window)
Warning: Any changed or cancelled reservation within 48 hours of the appointment will forfeit your fee.

Prev Weeks Next Weeks

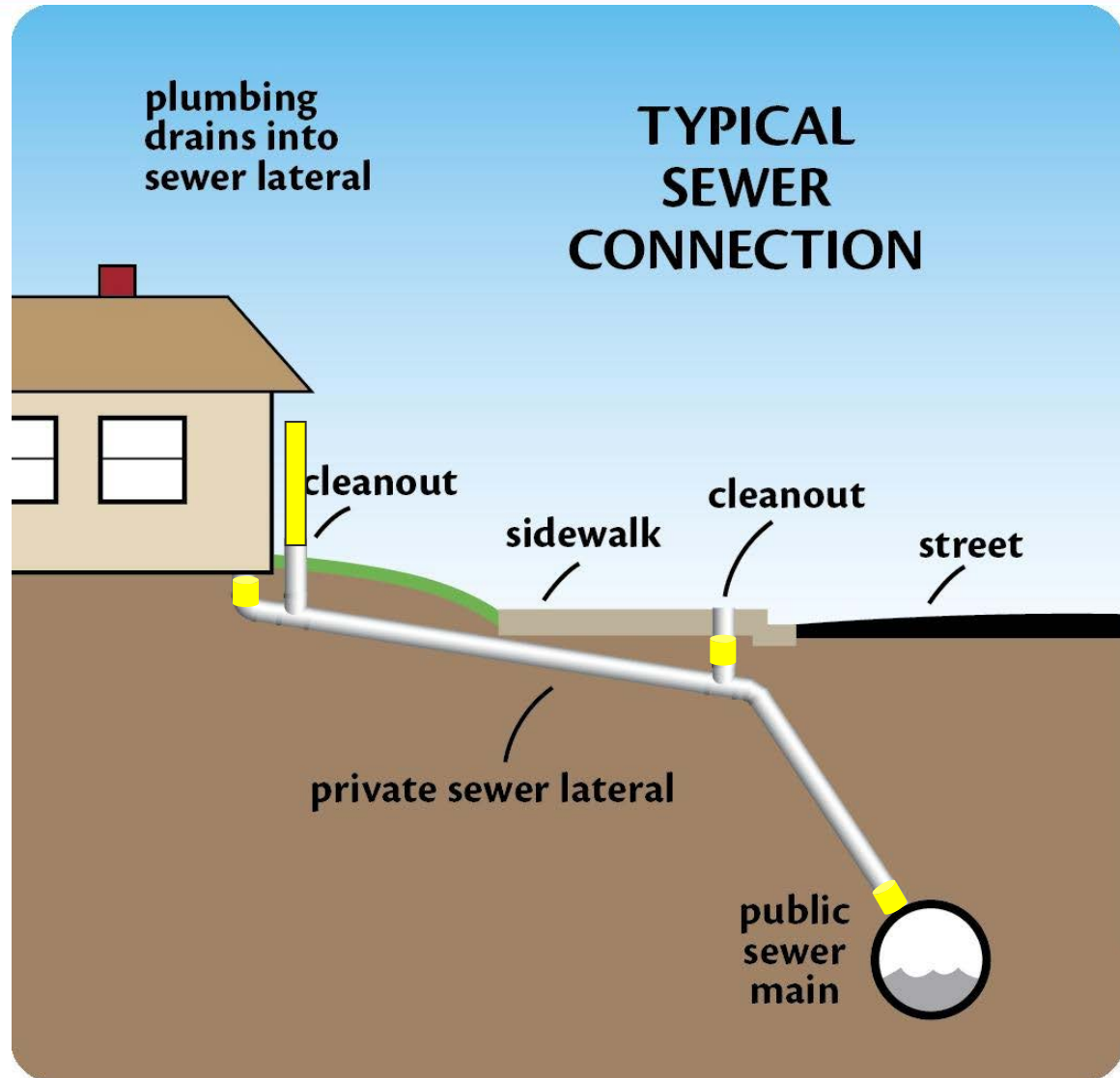
	5/31	6/1	6/2	6/3	6/4	6/5	6/6	6/7	6/8	6/9	6/10	6/11	6/12	6/13
	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon
8 am to 11 am														
9 am to 12 pm														

Step 4: Complete required work

- The contractor will repair or replace the lateral
- City will inspect the lateral to make sure it is repaired or replaced in compliance with building codes and public works standards
- Set up sewer lateral verification test

EBMUD verification test

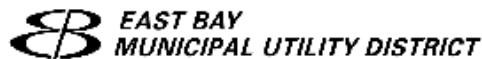
EBMUD will observe a water or air pressure test (verification test) to confirm that the repaired or replaced lateral is free of leaks.



Step 5: Pass Inspection and Print Compliance Certificate

- After passing verification test, the EBMUD inspector enters the results to the PSL Online System
- Compliance Certificate is ready to print or download from www.eastbaypsl.com
- Certificate Terms
 - Lateral passed the verification test with or without repairs = 7 years
 - Lateral passed the verification test after full replacement = 20 years

Sample Compliance Certificate



**Regional Private Sewer
Lateral Program**

Compliance Certificate for Private Sewer Lateral

Parcel Address: **1234 ANY STREET, ANYCITY**

Parcel Number: **000-000-000-0**

Expiration Date: **11/17/2031**

Certificate Number: **888**

Issue Date: **11/17/2011**

Type: **Compliance: replaced Lateral**

Special Instructions:

Retain this PSL certificate for your records for any future parcel sale, remodel greater than \$100,000 or change of water meter size.

Condominiums, Townhomes and Other Common Interest Dev.

- The Homeowners' Association or responsible party complete repairs and certification for all of the laterals on the property by July 2021. Re-certification is required after 20 years
 - If the individual unit owner is responsible per the Covenants, Conditions and Restrictions (CCRS) then lateral work must be done upon property sale, construction/remodeling in excess of \$100,000 or when increasing or decreasing water meter size
 - If the HOA is responsible for shared lines and individual unit owners are responsible for individual laterals, HOAs must comply within 10 years and individuals must comply when one of the 3 triggers is hit

Enforcement

1. Courtesy Notices

- EBMUD will send 2 notices

2. Notice of Violation

- Requires schedule to be submitted within 30 days
- Work must be completed within 90 days of the mailing date of the Notice of Violation

3. Non-compliance Fees - *Coming Soon*

- Initial Fee: \$350
- Monthly Fee: \$87

Other Fee Changes Coming Soon



- Time Extension Certificate: \$94
 - A separate Time Extension Certificate and Compliance Certificate Fee will be charged
- Inspection Rescheduling: \$73
- Extra Lateral or Verification Test: \$66
- Off-Hours Verification Test: \$200 (2.5 hrs)

Your Questions

More information, including updated ordinance, available at <http://www.eastbaypsl.com>

Contact us

- Call 1-866-40-EBMUD
- Email psl@ebmud.com

Thank you!