

EAST BAY REGIONAL PRIVATE SEWER LATERAL PROGRAM

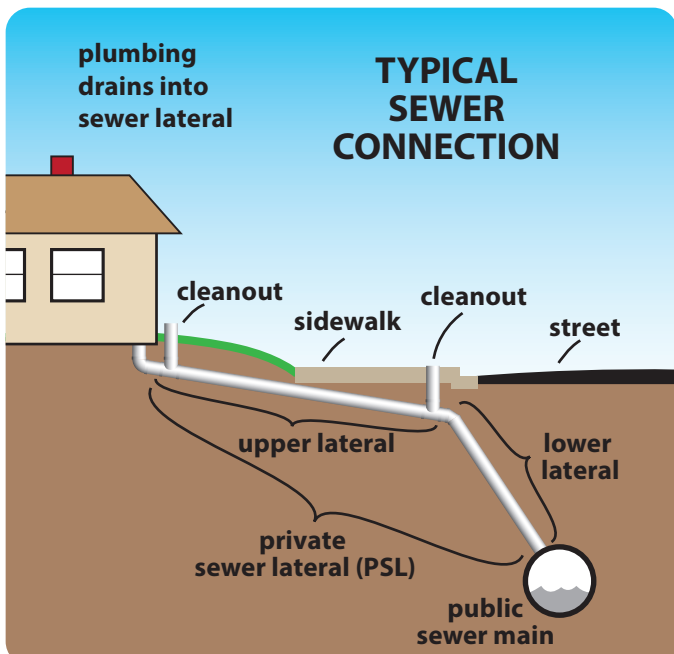


A Joint Effort to Protect San Francisco Bay

This guidebook explains the federally mandated program and provides guidelines for complying with the Regional Private Sewer Lateral Ordinance requirements of the East Bay Municipal Utility District and the cities of Alameda, Albany, Emeryville, Piedmont, Oakland and Stege Sanitary District, which serves El Cerrito, Kensington and Richmond Annex.

August 2022

What is a **PSL**?



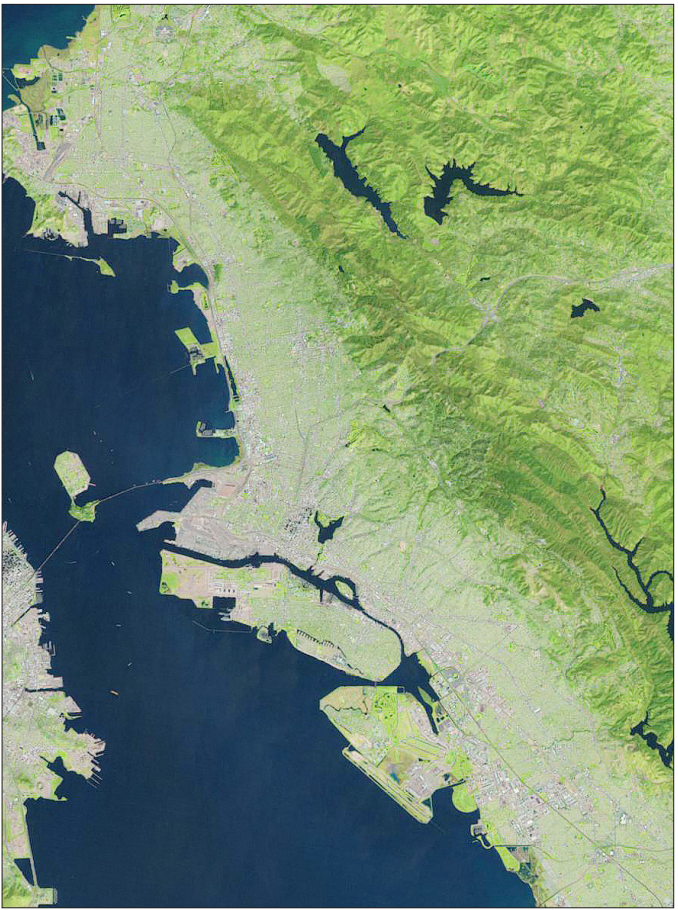
A private sewer lateral (PSL) is the pipe that carries waste from the plumbing in a home or business to the sanitary sewer main, usually located in the street. It consists of two sections: an upper lateral, which connects the building cleanout to the curbside cleanout, and a lower lateral, which connects the curbside cleanout to the sewer main. Property owners are responsible for maintaining the entire PSL, except in Alameda and Albany where that responsibility is for the upper lateral only.

Many East Bay homes were built before 1950, and many have never had their original sewer laterals replaced. Over time, these pipes, which are often made of clay, can crack, become disjointed or be displaced, and can be damaged by tree roots, causing leaks and blockages. When a sewer lateral ages and cracks, it lets rain and ground water into the sewer. This influx of water can overwhelm the treatment plants that clean wastewater, causing partially treated wastewater to be released into the San Francisco Bay.

Fixing damaged PSLs helps protect the Bay.

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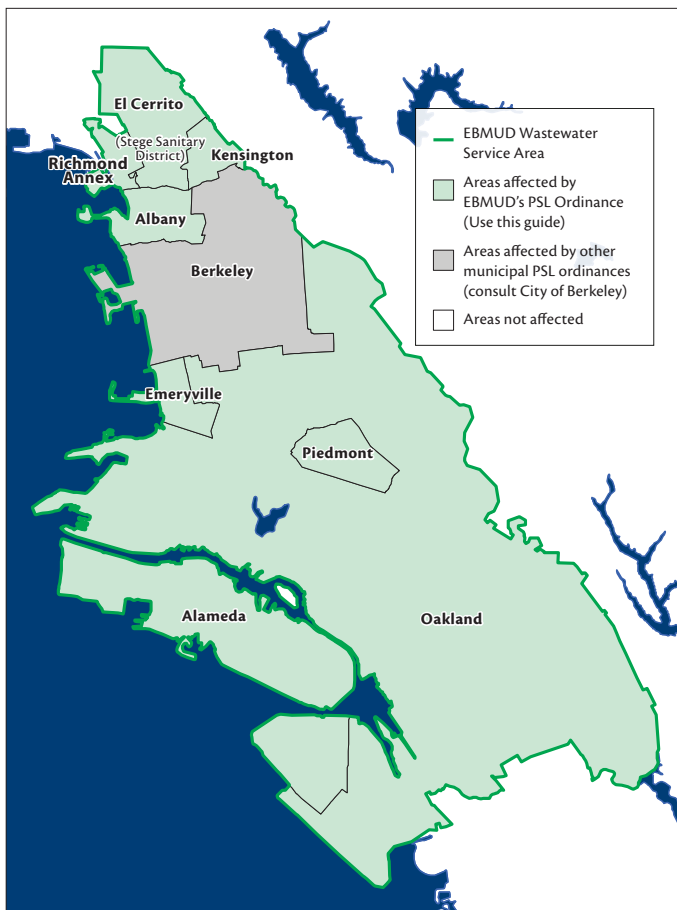
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Protecting Our San Francisco Bay

In 2009, the United States Environmental Protection Agency (EPA) and the California Regional Water Quality Control Board ordered the East Bay Municipal Utility District (EBMUD), the six cities that make up the greater Bay Area and one sewer district to fix old, cracked sanitary sewer pipes. Many pipes are in need of repair to prevent the infiltration of rainwater, which can overwhelm wastewater treatment facilities and lead to the release of partially treated wastewater into the Bay.

The EPA's mandate compelled EBMUD and its partners to phase in a Regional Private Sewer Lateral (PSL) Ordinance beginning in 2011. Affected property owners must obtain a certificate from EBMUD certifying that all of their PSLs are leak-free.



Who is **Affected**?

1 Determine if your property is covered by the Regional PSL Ordinance. Use the map above as a guide. Only EBMUD wastewater customers in the green shaded areas are affected. Please see www.eastbaypsl.com for details.

2 Be aware of the 3 trigger conditions. The Regional PSL Ordinance



applies **ONLY** if you buy or sell a property, build or remodel in excess of \$100,000, or change the size of your water meter.

3 Find out if your PSL is exempt. Follow the Guidelines for Exemption (pp.4-5) to obtain an exemption for your property.

4 If your property **IS** affected **AND** you meet one of the trigger conditions **AND** your PSL is **NOT** exempt, proceed directly to the guidelines for the trigger condition that applies to you (see Table of Contents, p.I).

Guidelines for **Exemption**

Exemptions for prior replacement of a PSL before the PSL Program effective date in your city are available in the cities of **Alameda and Albany only.**

E Exemption Certificate for prior PSL work

E1. Determine if you are exempt

1. Your property is in Alameda or Albany; **AND**
2. Your PSL was replaced with a permit before January 1, 2015 and one of the following apply:
 - Permit was finalized less than 25 years from today and the permitting agency verifies replacement; **OR**
 - You hold a valid, unexpired document similar to a Compliance Certificate issued by Alameda or Albany.

E2. Apply online

Apply for an Exemption Certificate at www.eastbaypsl.com.

E3. Verification

EBMUD will ask the permitting agency to verify the sewer lateral replacement and the date of final permit sign-off. If approved, EBMUD will notify you by email. Exemptions expire 10 years from the date of the final permit sign-off, or upon the expiration date of your existing compliance certificate from a permitting agency. If your request is NOT approved, you must obtain a Compliance Certificate or Time Extension Certificate.

E4. Print the approved certificate. Present or retain.

Print your Exemption Certificate from www.eastbaypsl.com. If you are buying a property, keep a copy of the Exemption Certificate for your records. If you are selling a property, provide a copy of the Exemption Certificate to the buyer before title transfer. If you are building or remodeling in excess of \$100,000, provide a copy of the Exemption Certificate to city permitting staff prior to final permit sign-off. If you are applying for a change in your water meter size, submit a copy of your Exemption Certificate to the EBMUD New Business Office to finalize your Water Service Application.

Additional Exemptions

If there are **special circumstances**, additional reasons for exemption may apply to you.

A Exemption Certificate for other reasons

A1. Determine if you are exempt

Additional reasons for exemption include the following:

- No sewer lateral has ever existed on your property (e.g., vacant parcels).
- Your sewer lateral or septic system is not connected to the public sewer main.
- The PSL associated with your parcel is pressurized.
- Your title transfer is not subject to the Regional PSL Ordinance requirements (example: between co-owners, or from/into a revocable trust). See the FAQ section of this brochure for a complete list of exempted title transfers.

A2. Apply online

Apply for an Exemption Certificate at www.eastbaypsl.com.

A3. Verification

EBMUD will review supporting documentation or perform a site visit of the property where required.

- IF NO LATERAL exists on the parcel: EBMUD will confirm this with the local permitting agency; **OR**
- FOR PRESSURIZED sewer laterals: EBMUD will conduct a site visit to confirm that the entire PSL is pressurized. If only a portion of the PSL is pressurized, the unpressurized portion must still be tested and certified and receive a Compliance Certificate; **OR**
- IF TITLE TRANSFER is exempt: If you are applying for an Exemption Certificate before title transfer, an Exemption Certificate will be issued to allow time for the sale transaction to occur (6 months). The certificate will document that the property transfer is exempt from the requirements of the PSL ordinance. If you are applying for an Exemption Certificate after title transfer and have received an enforcement notice, an Exemption Certificate will be issued to halt any enforcement action and to document that the property transfer is exempt from the requirements of the PSL ordinance. In both cases, the certificate is valid only for a single title transaction.

EBMUD will notify you by email whether the exemption is approved. If your request is NOT approved, you must obtain a Compliance Certificate or Time Extension Certificate.

A4. Print the approved certificate. Present or retain.

Print your Exemption Certificate from www.eastbaypsl.com.

When you sell the property, provide a copy to the buyer before title transfer. If you are the current property owner, keep a copy of the Exemption Certificate for your records.

Guidelines for Buying/Selling a Property



When **buying or selling** a property, you must obtain a Compliance Certificate or apply for a Time Extension Certificate. (see p.7)
The buyer and seller negotiate who will obtain the Certificate.

S Compliance Certificate

Obtain a Compliance Certificate before transferring title by fixing all PSLs as necessary, and then having an EBMUD inspector witness the PSL verification test (an air or water pressure test of the PSL).

S1. Determine if the existing PSL is in compliance

Hire a plumbing contractor to check for leaks and other defects in your sewer lateral(s). Your contractor will advise you if work is needed for your PSL (the upper lateral in Alameda and Albany; the entire upper and lower PSL for all other regions) to pass the PSL verification test. If no work is required, go to step S4 (properties in Emeryville go to S2 then S4 - a permit is required even for an as-is verification).

S2. Obtain required municipal permits

Cities and counties require that appropriate building and/or sewer permits be obtained before starting any PSL work. See back cover for contact information for your city.

S3. Repair or replace the PSL

Your contractor will repair or replace the PSL in accordance with the Regional PSL Ordinance and your municipality's requirements.

S4. Schedule a PSL verification test

At www.eastbaypsl.com, have your contractor schedule a date and time for an EBMUD inspector to witness the PSL verification test set up and performed by the contractor. Payment of the required Compliance Certificate fee must be made online.

S5. Pass verification test and print your certificate

Once the EBMUD inspector verifies that the PSL has passed the PSL verification test, go to www.eastbaypsl.com and print your Compliance Certificate.

S6. Transfer title

If you are selling a property, provide a copy of the Compliance Certificate to the buyer before title transfer. If you are buying a property, retain the Compliance Certificate for your records.

Guidelines for Time Extension Certificate



A 180-day **time extension** for obtaining a Compliance Certificate is available when you are buying or selling a property.

T Time Extension Certificate
If you cannot obtain a Compliance Certificate for all PSLs before transferring title, apply for a Time Extension Certificate which will allow 180 days from the certificate issue date for PSL work to be completed. The Time Extension Certificate is only valid if it is returned to EBMUD along with a \$4,500 deposit at title transfer.

T1. Apply for Time Extension Certificate

Go to www.eastbaypsl.com, apply for a Time Extension Certificate indicating the deposit refund recipient. Pay the certificate fee. Print and sign the certificate.

T2. Mail Time Extension Certificate and \$4,500 to EBMUD

Upon title transfer, the applicant must mail the signed Time Extension Certificate and a check for \$4,500 made payable to EBMUD-PSL. THE CHECK MUST INCLUDE THE PARCEL NUMBER.

Mail to: EBMUD-PSL Remittance Center
P.O. Box 24055, MS 101
Oakland, CA 94623

T3. Get the \$4,500 Refund

EBMUD automatically mails the refund to the party identified on the Time Extension Certificate when compliance is achieved for the parcel within 180 days. The \$4,500 deposit will not be refunded without a Compliance Certificate, regardless of who submitted the deposit.

IMPORTANT!

FOLLOW-UP TO ACHIEVE COMPLIANCE IS REQUIRED!

The property must have a Compliance Certificate within 180 days: The responsible party, as negotiated between the buyer and the seller, shall complete the required steps to obtain a Compliance Certificate (SI-S5) by repairing or replacing the PSL as necessary within the period allowed by the Extension Certificate.

If the program obligations are not met before the time extension period expires, the \$4,500 may be subject to forfeit regardless of who made the deposit, and the new property owner is subject to enforcement action by EBMUD.

Guidelines for Building or Remodeling (\$100,000+)



When **building or remodeling** in excess of \$100,000, you must obtain a Compliance Certificate for your PSL.

B Compliance Certificate

Obtain a Compliance Certificate before final permit sign-off of your project by fixing all PSLs, as necessary, and then having an EBMUD inspector witness the PSL verification test (an air or water pressure test of the PSL). Submit the Compliance Certificate to the agency issuing your building permit before final sign-off.

B1. Determine if the existing PSL is in compliance

Hire a plumbing contractor to check for leaks and other defects in your sewer lateral(s). Your contractor will advise you if work is needed for your PSL (the upper lateral in Alameda and Albany; the entire upper and lower PSL for all other regions) to pass the PSL verification test. If no work is required, go to step B4 (properties in Emeryville go to B2 then B4 - a permit is required even for an as-is verification).

B2. Obtain required municipal permits

Cities and counties require that appropriate building and/or sewer permits be obtained before starting any PSL work. See back cover for contact information for your city.

B3. Repair or replace the PSL

Your contractor will repair or replace the PSL in accordance with the Regional PSL Ordinance and your municipality's requirements.

B4. Schedule a PSL verification test

At www.eastbaypsl.com, have your contractor schedule a date and time for an EBMUD inspector to witness the PSL verification test set up and performed by the contractor. Payment of the required Compliance Certificate fee must be made online.

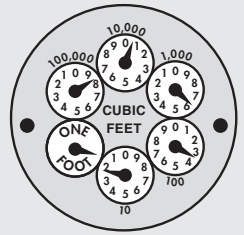
B5. Pass verification test and print your certificate

Once the EBMUD inspector verifies that the PSL has passed the PSL verification test, go to www.eastbaypsl.com and print your Compliance Certificate.

B6. Present certificate to the city issuing your permit

Provide a copy of the Compliance Certificate to city or county staff before final inspection and permit sign-off of your building/remodeling project.

Guidelines for Changing Meter Size



When requesting a larger or smaller **water meter**, you must obtain a Compliance Certificate for your PSL.

M Compliance Certificate

Obtain a Compliance Certificate to finalize your Water Service Application by fixing all PSLs, as necessary, and then having an EBMUD inspector witness the PSL verification test (an air or water pressure test of the PSL).

M1. Determine if the existing PSL is in compliance

Hire a plumbing contractor to check for leaks and other defects in your sewer lateral(s). Your contractor will advise you if work is needed for your PSL (the upper lateral in Alameda and Albany; the entire upper and lower PSL for all other regions) to pass the PSL verification test. If no work is required, go to step M4 (properties in Emeryville go to M2 then M4 - a permit is required even for an as-is verification).

M2. Obtain required municipal permits

Cities and counties require that appropriate building and/or sewer permits be obtained before starting any PSL work. See back cover for contact information for your city.

M3. Repair or replace the PSL

Your contractor will repair or replace the PSL in accordance with the Regional PSL Ordinance and your municipality's requirements.

M4. Schedule a PSL verification test

At www.eastbaypsl.com, have your contractor schedule a date and time for an EBMUD inspector to witness the PSL verification test set up and performed by the contractor. Payment of the required Compliance Certificate fee must be made online.

M5. Pass verification test and print your certificate

Once the EBMUD inspector verifies that the PSL has passed the PSL verification test, go to www.eastbaypsl.com and print your Compliance Certificate.

M6. Submit certificate with your application

Submit a copy of your Compliance Certificate to the EBMUD New Business Office to finalize your Water Service Application.

Frequently Asked Questions

How does the Regional Private Sewer Lateral Program protect San Francisco Bay?

By inspecting and repairing old cracked sewer pipes, we ensure that during storms rainwater does not enter sanitary sewer lines. Too much rainwater can overwhelm the sanitary sewer system and the treatment plant, causing partially treated wastewater to be released into the Bay.

What are the problems associated with private sewer laterals (PSLs)?

Most East Bay homes were built before 1950, and many have never had their original sewer laterals replaced. Over time, these pipelines (generally made of clay) can crack, become disjointed or displaced, and can be subjected to intrusion by tree roots, causing leaks and blockages. Rainwater and groundwater can enter the sanitary sewer system through these sewer lateral defects, potentially overloading the treatment system.

Where does this private sewer lateral program apply?

These requirements will affect properties in the EBMUD wastewater service area in Alameda, Albany, Emeryville, Oakland, Piedmont, El Cerrito, Kensington, and the Richmond Annex. Berkeley manages its own program. Check with Berkeley directly for their specific PSL requirements.

Who is responsible for the PSL and how does the program work?

The property owner is responsible for the entire PSL from their home to the public sewer main, with the exception of properties in Alameda and Albany where the responsibility ends at the property line, i.e. the upper lateral only. (See diagram, inside cover.) A property owner hires a plumbing contractor to assess the lateral condition (typically a video survey of the line), obtain permits from the city, perform required work, and to set up the air or water pressure test for EBMUD's inspector. When the lateral passes the verification test, a Compliance Certificate is issued.

What is required for the verification test?

EBMUD must witness the air or water verification test as it is being performed at the site. For details about verification test setups, see *Contractor Information and Test Procedures* at www.eastbaypsl.com under Guidelines and Resources.

Why does EBMUD require an air or water verification test?

The plumbing industry has determined that an air pressure test or water exfiltration test is the best way to verify that the lateral does not allow water from the surrounding soil to infiltrate the sanitary sewer system.

Can I get a certificate, even if it's not required?

Yes. If your property falls within the green shaded area on the map on p.3, simply follow the steps outlined for obtaining a Compliance Certificate (p.6, steps SI-S6). By fixing your damaged PSL you will help protect the Bay.

What if I don't have online access?

Please call us at 1-866-403-2683.

What information about my property will be publicly available?

EBMUD's PSL website will display property address, parcel number, scheduled inspection appointment, and certificate status to help realtors and other professionals to process transactions on behalf of their clients.

The PSL on my property has passed its test and a Compliance Certificate has been issued. How long is the Compliance Certificate good for?

If the work done was a complete PSL replacement, the Compliance Certificate is valid for 20 years. For certificates obtained without complete PSL replacement (repair or passed test without repair), the certificate is valid for 7 years.

How do I decide if I need to repair or fully replace my sewer lateral?

It is up to you, however, EBMUD recommends that you be present while the contractor is performing the evaluation of your sewer lateral. The contractor will typically start with a video inspection (also known as a closed circuit television CCTV inspection) which will allow you to see the current condition of the private sewer lateral and ask questions. Depending on what the contractor observes, your lateral may or may not require repair or replacement.

Do these requirements apply to commercial, industrial and residential properties?

Yes. If you have a business or home in Alameda, Albany, Emeryville, Oakland, Piedmont, El Cerrito, Kensington or the Richmond Annex, the Regional PSL Ordinance applies to your property.

What if I own or manage a property with a large private sewer system like a campus facility or business park?

The PSL Ordinance provides extended deadlines for parcels or parcel groups served by PSLs with a combined length exceeding 1,000 feet. You must complete a condition assessment of your PSLs and submit a Work Plan to EBMUD which details the condition of your sewer system and your plan to complete needed repairs or replacements. All work described in the Work Plan must be completed and all required Compliance Certificate(s) obtained no later than July 12, 2026. However, EBMUD may allow up to three additional years (until July 12, 2029) to obtain the Compliance Certificate if the parcel or parcel group has one or both of the following conditions: (1) more than 5,000 feet of PSLs or (2) 50 percent of PSLs (by length) need replacement. For additional details visit www.eastbaypsl.com and view the *Guidelines for Parcels or Parcel Groups with Laterals Totalling Greater than 1,000 feet*.

(continued)

FAQs continued

I own a condominium/townhome. How does this apply to me?

If the Homeowners' Association (HOA) is responsible for the property's PSLs per the Covenants, Conditions and Restrictions (CC&Rs), HOAs were required to test and complete repairs on all of the laterals on the property by July 2021. If the individual owner is responsible for the PSL per the CC&Rs, then lateral work must be done upon property sale, construction or remodeling in excess of \$100,000, or when increasing or decreasing water meter size. All HOAs were required to submit a Statement of Responsibility to notify EBMUD regarding each party's responsibility by 2019. If you are unsure of the division of responsibility, please contact your HOA. Visit www.eastbaypsl.com and view the *Guidelines for Condominiums and Other Common Interest Developments* for additional information.

How do I find a licensed plumbing contractor?

EBMUD does not provide a list of contractors, but one can be found on the Stege Sanitary District website. It is always a good idea to check with the Contractor's State Licensing Board prior to hiring a contractor. Visit cslb.ca.gov to learn more. Asking for references and talking with past customers is one of the best ways to accurately gauge the quality of a contractor's work.

What should I check when reviewing a contractor's estimate?

EBMUD recommends getting at least three written estimates from contractors. Many factors, such as the length of the sewer line, access to the city main, required permits and landscape encumbrances can affect the quote. When a contractor provides an estimate, ask whether your lateral can pass a pressure test with just a repair or whether you need a full replacement. Ask if the estimate includes the cost of the EBMUD Compliance Certificate, applicable city permits, and any possible appointment rescheduling fees that may apply.

What title transfers are exempt from the requirements of the regional PSL ordinance?

The following title transfers are not subject to the Regional PSL Ordinance requirements:

- by a fiduciary administering a decedent's estate or trust
- between existing co-owners
- by a trustor to fund or defund a living trust
- by an executor to fund a testamentary trust
- to a spouse or registered domestic partner
- to a person who is related by blood to one or more of the transferors (in a Lineal Consanguinity Relationship)
- title transfers as a result of divorce or legal separation
- to a financial institution resulting from a foreclosure or similar process.
- certain transfers between a business entity and an individual or corporation (e.g. an LLC)

What happens when my Compliance Certificate Expires?

In most cases no action is needed when your Compliance Certificate expires. A new Compliance Certificate would be required if the PSL Ordinance was retriggered in the future: if you were buying or selling property, remodeling in excess of \$100,000 or changing your water meter size.

PSL Program Fees

Fees are subject to change. Check www.eastbaypsl.com for the most current fee information. Visit www.eastbaypsl.com/eastbaypsl/guidelines.html for information about how fees are applied.

Contact Us

The PSL website at www.eastbaypsl.com is the best resource for making sure you have the most up-to-date information about the Regional PSL Program. Visit us!

Questions? Email us at psl@ebmud.com or call 1-866-403-2683 (Mon-Fri 8:00 am - 4:30 pm)

**如需更多資訊，請致電東灣水務局
週一至週五，上午8:00 至下午4:30**

Para más información comuníquese con EBMUD
Lunes a Viernes de 8 a.m. a 4:30 p.m.

East Bay Municipal Utility District
375 11th Street • Oakland, CA 94607
1-866-403-2683 • www.ebmud.com

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East Bay Regional
Private Sewer Lateral Program Website
www.eastbaypsl.com

City of Alameda 510-747-7930

City of Albany 510-528-5760

City of Emeryville 510-596-4304

City of Oakland 510-238-3891

City of Piedmont 510-420-3050

Stege Sanitary District 510-524-4668
El Cerrito, Kensington, Richmond Annex

United States EPA Region 9
www.epa.gov/region9/contact-region9.html

California Regional Water Control Board, Region 2
www.waterboards.ca.gov/sanfranciscobay