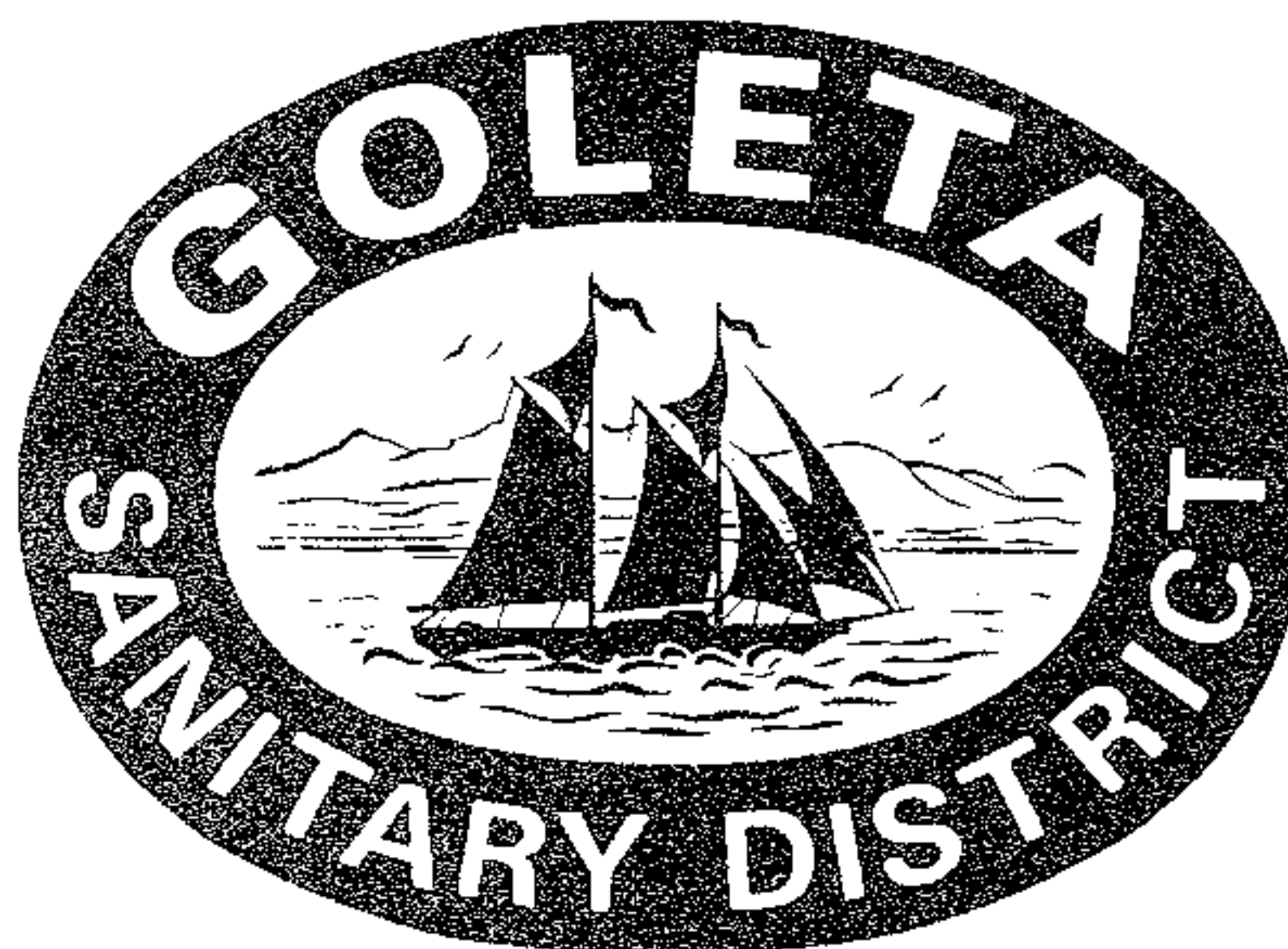


GOVERNING BOARD

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June 20, 2013



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GENERAL MANAGER/
DISTRICT ENGINEER

KAMIL S. AZOURY, P.E.

The Honorable Judge Brian Hill
Judge of the Superior Court of Santa Barbara County
1100 Anacapa Street
Santa Barbara, CA 93101

Suzanne Schomer, Foreman 2012-13
Grand Jury Santa Barbara County
County Courthouse
1100 Anacapa Street
Santa Barbara, CA 93117

To All Concerned:

I am in receipt of the Grand Jury Santa Barbara County report entitled "**Sheriff-Coroner's Bureau The Manner of Death-A Final Diagnosis**" (the "Report"). I gave testimony to the Grand Jury regarding the Goleta Sanitary District's Industrial Waste Control Program affiliation with the Coroner's Office located at 66 South San Antonio Road. I appreciate the opportunity to respond because clarification and correction is necessary.

The Goleta Sanitary District, (the "District") issued the Coroner's Office Industrial Wastewater Discharge Permit # II-228 starting November 1991 through December 2005 (for the two years prior they were issued permit # III-321.) These permits are issued in three year cycles, every third year requiring a new application from the industrial user. During these years of conducting inspections, the various Sergeants advised District Inspectors on a number of occasions that there was minimal processing of bodies, at most 1-2 per year, and all other autopsies were conducted at Cottage Hospital. The Coroner's Office did have a toxicology lab with some chemicals used to analyze blood, urine, and bile for alcohol and/or drug content. The last time the Coroner's Office applied for an Industrial User Wastewater Discharge Permit was November 9, 2004. Their permit fees (\$150) were paid on January 17, 2005 and the District issued Permit # II-228 on April 4, 2005, which was effective through December 2007.

The annual inspection conducted at the Coroner's Office on December 5, 2005 verified that all lab equipment had been removed and I was told that they were not processing bodies, but eventually would conduct autopsies again. As a result, permit # II-228 was not renewed in 2008. Since 2005 the Coroner's Office has never notified the District of any changes nor submitted an application to discharge industrial wastewater to the District's sewer collection system.

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In 2011, as required by federal regulations and as done on a regular basis, District staff conducted an Industrial User Survey throughout the District. A response from Sergeant Sandra Brown of the Coroner's Office stated that, "we conduct death investigations, store deceased and conduct autopsies." The only chemical listed on this survey was *Formolin*, which has historically been hauled from this site as hazardous waste, never discharged to the sewer. This 2-page survey is requested of all businesses throughout the District and is much different from the 8-page industrial user wastewater discharge application. It would not be considered "correct paperwork" for an Industrial Wastewater Discharge Permit as stated at page 5 of the Report.

As you may know, by reference of the USEPA Introduction to the National Pretreatment Program document that I gave you during my testimony, there are no national pretreatment standards requiring the District to issue Industrial Wastewater Discharge Permits to mortuaries or coroners, however it is typical that the sewer use fees are higher for these types of discharge due to the high organic strength of the wastewater. Please note, as stated during my testimony, any user discharging into the District's sewer collection system, whether permitted through a federally mandated pretreatment program or not, must abide by 40 CFR403.5 National Pretreatment Standards: Prohibited Discharges General and Specific Prohibitions. Failure to do so could result in civil and/or criminal charges.

The Grand Jury's Report makes the following statement at page 5 of the Report, "The Goleta Sanitary District (GSD) failed to re-issue an Industrial Wastewater Permit under its Ordinance No. 77, which also covers hospitals and mortuaries, although the Bureau submitted the correct paperwork." This statement is not accurate for a few reasons: 1) Ordinance # 77 was adopted by the District's Governing Board just last year on April 16th 2012; Ordinance # 44 was the legal authority during the time the Coroner's Office was permitted with the District's Industrial Waste Control Program; 2) The District has not received an industrial wastewater discharge permit application (which would be the "correct paperwork" for the re-issuance of a permit) from the Coroner's Office since November 2004 and they were issued the correlating three year permit at that time as described above; 3) The District was never notified that the rate of bodies being processed had increased so dramatically. The Report states that 150 autopsies are performed annually yet the District was told that only 1-2 bodies per year were processed at this site. Since the lab was removed in 2005 the District considered the Coroner's office similar to the local mortuary, which has never been permitted for processing bodies. Goleta Valley Cottage Hospital is permitted as an industrial user and has been since 1979.

For these reasons, I respectfully request that, before the Report is released to the public it be revised to correct the inaccurate statements indicating that the District "failed to re-issue an Industrial Wastewater Permit under its Ordinance No. 77" and that the "Bureau submitted the correct paperwork" for permit re-issuance. Finding 6 and Recommendation 6 should also be revised in light of this factual correction.

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If you have any questions or need further comment or clarification, please do not hesitate to contact me at 967-4519 ext. 107 or at tkistner@goletasanitary.org. I appreciate your time and consideration.

Please note that the District's Governing Board will be formally responding to the Report as required by Penal Code Section 993(c).

Best regards,

A handwritten signature in cursive script that reads "Teresa Kistner".

Teresa Kistner
Goleta Sanitary District
Industrial Waste Control Officer