

CITY OF COOS BAY
JOINT CITY COUNCIL / URA WORK SESSION
Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
July 11, 2017	

TO: Mayor Benetti and City Councilors

FROM: Jennifer Wirsing, Wastewater Project Engineer

THROUGH: Rodger Craddock, City Manager
Jim Hossley, Public Works and Community Development Director

ISSUE: Consideration of Implementing a Fats, Oil, and Grease Ordinance



SUMMARY:

Council identified evaluating potential policies aimed at improving and maintaining privately owned businesses and residential sewer laterals as a City priority for 2017 through 2019. One policy that could be evaluated to meet this goal is to create an ordinance requiring commercial businesses to limit fats, oils, and grease (FOG) from entering into the private laterals and thus the City's public collection system. If Council approves a policy such as this, the City would be implementing a voluntary program. In other words, at this time this is not a requirement of the City's National Pollutant Discharge Elimination System permit for wastewater. Implementation of a voluntary program such as this has the potential to prolong the life of the City's collection sewer system and reduce wastewater treatment costs.

ACTION REQUESTED:

If it pleases the Council, provide staff direction as to how you want to proceed forward with developing FOG/pretreatment program.

BACKGROUND:

The City has very little control on what is discharged to the treatment plants by commercial and industrial users. A variety of pollutants that are toxic to fisheries and other aquatic life or impact the collection system are routinely discharged by businesses and residences. Sinks and drains routinely receive problem pollutants used for cleaning, personal care products, Fats, Oil & Grease (FOG), petroleum compounds, and other materials. A focus on pollution prevention activities and Best Management Practices (BMPs) are the most environmentally-sound and cost-effective ways to reduce concentrations of toxics received by the collection system and treatment plants. While there are several other industries that can contribute to harmful discharge to the City's system, one way to minimize this issue is to have a FOG program that concentrates on establishments that make and serve food. These can include but are not limited to: restaurants, hospitals, wine and beer breweries, and assisted living facilities. However, several items need consideration prior to

commencing forward with a FOG program such as this. The following are considerations that Council may want to discuss further and provide direction to staff.

1. CONDUCTING A SURVEY - The basis for an effective FOG programs is a good survey of existing establishments that serve food and discharge to the City's system. Should the survey be a part of this process, it should provide a mechanism for the following:
 - a) Identify and classify existing users – Discussions should occur as to how to deal with existing establishments that serve food and do not have mechanisms in place to control FOG discharge.
 - b) Set up a process to identify new industrial users and those changing operations – A local ordinance should have direction as to what is required to control FOG discharge.
2. CONTROL MECHANISMS - The most common control mechanism is requiring Best Management Practices (BMPs) to control discharges. These BMPs are often applied through a letter, a notice of BMP requirements, or other methods. A FOG program should have the flexibility to use a variety of control mechanisms, as long as those have been included in the municipal legal authority as part of the adopted local ordinance. Special consideration should be taken when developing the ordinance. Concern has been expressed from the State Building Department that the City does not have the authority to regulate plumbing on private property. The City has discussed this with DEQ. DEQ has stated that the municipality could then require that a discharger could install a control mechanism in the right of way. This requirement may encourage the owner to voluntarily install the mechanism on private property. However, if the mechanism is unable to be installed on private property, then the cost of installation could be considerably higher for the owner.
3. DEVELOP A LOCAL ORDINANCE TO CONTROL POLLUTANTS FROM BUSINESSES AND INDUSTRY – Staff should have the legal authority to allow the municipality to minimize impacts to the treatment works and collection system from establishments that serve food. An ordinance would also help business owners and can act as a guidance document. There are model ordinances available by DEQ and EPA. However, these ordinances address all industries that can impact the treatment and collection system (dental offices, seafood processing centers, industrial business, etc.). Additionally, many Oregon cities have also developed this language that could aid in the development a City ordinance.
4. OVERSIGHT AND REPORTING REQUIREMENTS - The Pretreatment Program can be based upon the regulated community self-reporting with periodic oversight by the City. A voluntary pretreatment program can place more focus on self-implementation and self-reporting for business and industries discharging to the sewer system. It is important that these requirements are consistent and fair. The City can periodically verify the information submitted by the business however, it may be a better use of resources for City staff to increase oversight for those businesses that chose to not comply or where sewer problems have occurred.

It is important to note, that if the City elects to conduct a survey, and a categorical industrial user is identified, the City is required to report the name and address of that user to the Oregon Department of Environmental Quality (DEQ). These Categorical Industrial Users (CIUs) are defined by EPA but the most common are: Metal finishing, electroplating, aluminum forming, canned and preserved fruits and vegetables, seafood processing facilities, centralized waste treatment, electrical and electrical components, non-ferrous metals, pharmaceutical manufacturing, transportation equipment

cleaning, etc. If a categorical industrial user is identified then the City will be required by DEQ to develop a citywide regulated pretreatment program.

At this time it is unclear how we should (or if we should) deal with the special districts. As you know Bunkerhill and Charleston both discharge to the City's system. There are establishments that serve food, industry, and commercial uses in both these districts that a FOG and/or pretreatment program should apply to. Furthermore, there may be industry located within these districts that may be defined as a Categorical Industrial User. It will be challenging to enforce and regulate a program outside City limits.

BUDGET IMPLICATIONS:

Currently the City has no mechanism to track a program such as this. There is software available, however no further investigation has been taken to obtain costs. Additionally, staff time will need to be allocated to this program. Once staff has received direction on developing this program, a budget can be provided. Another option for Council is to outsource the management of this program. CH2M, the City's current wastewater contractor, is currently managing several pretreatment programs and can provide a cost to perform this service upon request.