

Date: September 26, 2018

To: Bruce D. Glasscock, City Manager
Mark Israelson, Senior Deputy City Manager

From: Rachel Patterson, Director of Environmental Health & Sustainability

Subject: Liquid Waste Management Ordinance

At the October 8, 2018 City Council meeting, I will respectfully ask for Council consideration of the proposed revision to the Liquid Waste Management ordinance and the repeal of the current ordinance. At the September 24, 2018 City Council Preliminary Open Meeting Jerry Cosgrove, Director of Public Works, and I gave a presentation on the proposed revisions. Revisions are necessary due to the implementation of the Capacity, Management, Operation & Maintenance (CMOM) plan required by the EPA. The CMOM is a plan that documents processes and procedures impacting how the City manages and maintains its wastewater collection system, specifically related to addressing Sanitary Sewer Overflows (SSOs). The objective is to optimize system performance and develop plans and maintenance activities to operate, manage, and maintain collection systems to avoid SSOs. A major component of this plan is the commitment to regulate the discharge of Fats, Oils, and Grease (FOG) to the wastewater collection system.

The Public Works Department is responsible for maintaining 1,001 miles of publicly owned sanitary sewer pipelines and 6 lift stations. To keep the sewer system functioning properly, the City will need to implement a grease trap inspection program. Current city ordinances impose various requirements for commercial sewer system users, including the installation and maintenance of grease traps and other related devices within the sewer system, but most of these traps are not currently regularly inspected to ensure proper function and maintenance. Regular staff inspections, coupled with the provision of education regarding program requirements, should help to minimize the discharge of FOG into the sewer lines. As a last resort, enforcement actions could be initiated.

While Public Works maintains the sewer lines, it was determined the Environmental Health & Sustainability Department (EH&S) would be best suited for inspection of the traps and enforcement of the requirements as EH&S has ongoing relationships with the regulated parties and is well-versed in inspection and enforcement activities. As the administrator of the City's state issued stormwater permit, EH&S also has vested interest in ensuring SSOs are avoided in order to preserve water quality within the city limits and beyond.

The proposed ordinance will make the following significant changes to the current ordinance:

1. Food Service Facilities that generate FOG will be required to obtain a permit for their grease trap(s) and they will receive an annual inspection. Please note, inspectors currently require documentation of grease trap evacuation, but the traps themselves are not inspected.
2. Food service facilities with grease traps will be charged an annual permit fee of \$50.00 which will be a new permit/fee. Grit/Sand traps are currently inspected/regulated under this ordinance and permitted at \$250 per year; however, under the proposed ordinance and new fee schedule, these facilities will be charged a lower annual permit fee of \$50.00. As this is a new program, we estimate this represents an

approximately 50% cost recovery through fees with the remaining portion funded by the Municipal Drainage Fund. Cost recovery will continue to be monitored and fees adjusted as necessary.

3. Ability to require installation of a new trap if the current trap is not working or inadequately sized.
4. If an establishment closes, the operator is responsible to evacuate the grease or grit/sand trap prior to abandoning the property.
5. Documentation of grease trap and grit/sand trap evacuation (pumping) must be maintained for three years (current requirement is five years).
6. Grease traps must be evacuated a minimum of every 90 days or more frequently under certain circumstances (current requirement: 90 days).
7. Grit/Sand traps must be evacuated a minimum of every 180 days (currently 90 days).
8. Variances from minimum service levels may be obtained under certain circumstances.
9. Spills from grease or grit/sand traps must be reported immediately to the Department of Environmental Health & Sustainability and cleaned immediately.
10. Sample ports will be required on new traps, and as needed on existing traps (if there is a water quality issue with discharge).
11. New and existing auto shops with floor drains must install a grit/sand trap. If they do not want to install a grit/sand trap, the floor drains may be capped to prevent prohibited discharge to the sewer system.
12. Liquid waste transporters must have a functional volume measuring or indicating device.
13. Transporter vehicle exteriors must be clean and odor free at the beginning of each work day.
14. Completed documentation of trap evacuation must be submitted by transporters to the city within 15 days (currently monthly).
15. Liquid waste that is hauled off-site is required to be removed by a liquid waste transporter operating under a city permit and recorded on a City of Plano trip ticket form to ensure the city can track that this waste stream is disposed of properly.

Public outreach included:

1. Announcement of ordinance and public meetings at a Chamber of Commerce Hospitality Group meeting.
2. Two public meetings held at Municipal Center and Haggard Library. Meeting announcement was by mass mailing of postcard to each food service facility, auto shop, car wash, and liquid waste transporter.
3. Ordinance made available online for comments with summary sheet of how the ordinance would specifically affect each industry (restaurants, auto shops, car washes, and liquid waste transporters).
4. Further outreach included:
 - a. Second mailing to all affected food service facilities
 - b. Tweet to food service facilities registered with Communications and Community Outreach
 - c. Additional public meeting at Chamber of Commerce geared toward food service facilities
5. Communication with Greater Dallas Restaurant Association (GDRA) at beginning and end of process.
6. Communication with North Texas Municipal Water District – review of ordinance, letter of support.

Comments were recorded from public meetings and incorporated into the ordinance revisions. In general, questions received during public outreach were focused on clarification of new regulations.

This ordinance has the support of the GDRA as well as the North Texas Municipal Water District. The GDRA believes the impact and fee are minimal and the program will be helpful to their constituents in keeping their grease traps, a significant investment, in good working order. The District is supportive in that the ordinance will contribute to protection of the sanitary sewer system and minimize SSOs.

Should you have any questions regarding this request please feel free to contact me.