

CITY OF SANTA ROSA  
BOARD OF PUBLIC UTILITIES

TO: BOARD OF PUBLIC UTILITIES  
FROM: MARTIN ST. GEORGE, ENVIRONMENTAL COMPLIANCE  
SUPERVISOR  
SANTA ROSA WATER  
SUBJECT: ORDINANCE AMENDING CERTAIN SECTIONS OF SANTA  
ROSA CITY CODE TITLE 15 - SEWERS, TO MAINTAIN  
COMPLIANCE WITH EPA INDUSTRIAL PRETREATMENT  
PROGRAM REGULATION REVISIONS

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Water Department that the Board of Public Utilities, by resolution, recommend that the City Council approve an Ordinance amending sections of Santa Rosa City Code Title – 15 Sewers: 15-04.030 Definitions; 15-06.120 Publication of Users in Significant Non-Compliance; 15-06.200 Appeals; 15-08.050 Wastewater discharge permit classification; 15-08.070 Prohibited discharge standards; 15-08.100 Local Limits; 15-08.210 Hauled Wastewater; 15-08.215 Clean-up and remediation projects; 15-08.340 Wastewater discharge permit contents; 15-08.430 Sampling; 15-08.490 Periodic compliance reports; and 15-08.567 Amalgam separators.

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EXECUTIVE SUMMARY

This ordinance consists of proposed sewer code edits from three sources. First, the North Coast Regional Water Quality Control Board (NCRWQCB) recently approved a "Re-Evaluation of Local Limits for the Laguna Subregional Water Reclamation System Industrial Pretreatment Program". The second source of edits derive from NCRWQCB Pretreatment Compliance Inspection findings from the April 2018 audit of the City's industrial pretreatment program. The third source of edits incorporates the new Dental Office Federal Category 40 CFR 441 and updates the City's amalgam separator program.

The Local Limits Study (Study) evaluates conventional pollutants and pollutants of concern discharged by industries to a Publicly Owned Treatment Works (POTW) to determine contributing sources that could impact the POTW's ability to comply with water quality discharge objectives. This recent Study evaluated the extent to which pollutant loadings from local residential and business sectors have changed, based on variations in flows and loadings in the system since the last local limits study in 1989. The Study

suggests the LTP's industrial sector discharge allocations warrant adjustment. The Study results indicate that some pollutant loadings may be reallocated in a manner that would position the City of Santa Rosa and the Regional partners to be more competitive in attracting certain business sectors into the area while maintaining the LTP's ability to comply with applicable regulatory requirements.

## BACKGROUND

The City of Santa Rosa (City) owns and operates the Laguna Treatment Plant (LTP), a POTW regulated under NPDES Permit Number CA0022764. To fulfill the requirements of the NPDES permit, the City operates an Industrial Pretreatment Program that was initiated in 1975 and approved by the US Environmental Protection Agency (US EPA) and NCRWQCB in 1983.

The City's Industrial Pretreatment Program is inspected by US EPA inspectors on behalf of the NCRWQCB to monitor adherence with Federal pretreatment program guidelines. In the EPA inspection report for the April 2018 Pretreatment Compliance Inspections (2018 EPA Report), the findings revealed that the City needed to make minor changes to Santa Rosa City Code Title 15 – Sewers to be consistent with current federal code language. The 2018 EPA Report recommended the City conduct a new local limits study. The local limits addressed in this ordinance have not undergone a complete update in 30 years, although the City has performed periodic checks and implemented partial updates during that time. Local Limits, for conventional pollutants and pollutants of concern, provide an important aspect of source control strategy in the City's Pretreatment Program. In addition to helping establish surcharge fees for industrial and commercial discharges with wastewater loadings above average residential wastewater loadings and best management practices, local limits help to protect the LTP from industrial discharges that may interfere with LTP treatment processes or cause pass through of these contaminants from the LTP treatment processes. Local limits also help to support compliance with NPDES permit and other regulatory requirements.

In addition to the Study, the 2018 EPA Report identified clarifications, revised definitions, and changes to the City's Wastehauler Program. Additionally, in 2017, the US EPA adopted a new federal Dental Office Category in 40 Code of Federal Regulations 441 (40 CFR 441) to reduce mercury entering POTW's. The City implemented an amalgam separator program to reduce mercury in 2010 which reduced amalgam containing mercury from entering the POTW. Although the Santa Rosa City Code contains most of the necessary 40 CFR 441 language, some of the Title 15 – Sewers edits will more completely align the City Code with the newly adopted US EPA regulations.

## PRIOR BOARD OF PUBLIC UTILITIES REVIEW

On August 1, 2018, Environmental Compliance provided a study session to the Board of Public Utilities (Board) regarding the results of the City of Santa Rosa Laguna Regional Water Reclamation Facility Local Limits Study.

## ANALYSIS

This ordinance will update the Local Limits for industrial discharges to the City of Santa Rosa sanitary sewer system, update the City's Sewer Code to reflect US EPA audit findings and incorporate the new Dental Office Category 40 CFR 441.

Local limits are part of an overall strategy to maintain source control of conventional pollutants and pollutants of concern for industrial sectors. The US EPA has promulgated categories for Categorical Industrial Users with mandatory discharge limits for various industrial groups like metal finishing, food processing, etc. However, some impacted watersheds dictate more prohibitive limits or "Local Limits" be developed to comply with local receiving water limitations or alternative discharge usages. An industry may use pretreatment units for pollutant removal to lower discharge concentrations or use product substitution with green chemistry to lower discharge concentrations to meet a local or a federal limit. The City can use local limits, best management practices and/or fees for above average pollutant loadings to control industrial discharges. Surcharge fees are used to encourage pretreatment and discourage higher than average loadings of the following conventional pollutants: Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), and Total Kjeldahl Nitrogen (TKN). Various strategies are employed by the City to ensure compliant discharges. This in turn helps the LTP to meet discharge objectives. LTP's anticipated loadings for each conventional pollutant and pollutants of concern have been recalculated to reflect current conditions.

The Study re-evaluated industrial discharges to the LTP and offered recommendations to address the changes in industrial loadings that have transpired since the last local limits study was implemented in 1989. Corrosion control was implemented by the Sonoma County Water Agency. Prior to corrosion control, water from the SCWA would cause metals to leach from industrial water pipelines and process fixtures. The proportion of industrial flow to residential flow heading to the LTP has been approximately cut in half since completion of the last local limits study. The NCRWQCB has changed how LTP discharges are monitored pursuant to its NPDES permit. Updated calculations for conventional pollutants and pollutants of concern have been compared to actual influent loading and industry discharge trends to determine which pollutants may be applicable for revised local limits.

The 1989, LTP local limits were conservative and included non-science-based limits. As the LTP historical data indicates, a handful of the LTP's existing local limits do not currently apply to discharges in the system. Select metals or organic compounds are not found in local industrial discharges because of the exclusive nature of the constituents. Other constituents included in LTP's initial local limits study were not based on calculations from LTP data but were justified based on other discharge criteria. As a result, the recent Study proposes raising some local limits where industrial data shows historical discharge values may allow for such discharges. Other local limits have data to support an increase but will remain the same due to ongoing watershed concerns related to mercury.

The request to implement the Study has been reviewed and approved by the NCRWQCB with the closure of a 30-day public comment period on September 5, 2019. In addition to the August 5<sup>th</sup> published Public Notice, mailings were made to regional partners, industrial and groundwater dischargers and regulatory stakeholders notifying them of the Study. Staff will bring the recommended ordinance, reflecting revisions related to the Study, 2018 EPA Report and the Dental Office Rule 40 CFR 441, to City Council for consideration. The final step to implement these changes, including the new local limits, is facilitating the inclusion of these revisions into new code language in the Regional partners' sewer use ordinances.

### FISCAL IMPACT

No direct budgetary impact is anticipated. However, the City and Regional partners may see an economic increase in certain business sectors such as low water use machine shops, metal fabrication, metal finishing or chip manufacturing with the enactment of local limits that are comparable to other agencies in the area. The LTP has experienced a decrease in the number of certain industries or had prospective businesses opt out of coming to the area, partially due to restrictive local limit discharge requirements for certain metals.

### ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not Applicable

### ATTACHMENTS

- Attachment 1 – "Re-Evaluation of Local Limits for the Laguna Subregional Water Reclamation System Industrial Pretreatment Program"
- Attachment 2 – Draft Ordinance of the Council of the City of Santa Rosa Amending Certain Sections of Santa Rosa City Code Title 15 – Sewers to Maintain Compliance with EPA Industrial Pretreatment Program Regulation Revisions
- Attachment 3 – Redline of Draft Ordinance of the Council of the City of Santa Rosa Amending Certain Sections of Santa Rosa City Code Title 15 – Sewers to Maintain Compliance with EPA Industrial Pretreatment Program Regulation Revisions

## CONTACT

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