



City Council Agenda Item

City Council Meeting Date: February 5, 2019

TO: Jim Throop, City Manager

FROM: Brad Wilkie, Utility Director
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SUBJECT: Discussion of Grease Interceptors/Traps

Recommendation:

This item is for presentation and discussion only. In December 2018, the City Council asked staff to provide information regarding Lompoc Municipal Code (LMC) section 13.16.370 concerning grease interceptors/traps.

Background:

Grease interceptors/traps were first required by the City of Lompoc (City) effective on February 19, 1963, when LMC section 13.16.370 was first adopted¹. Section 13.16.370 complies with the Uniform Plumbing Code, which requires the “authority having jurisdiction” (in this case the City) to require grease traps “where they are necessary for the proper handling of liquid wastes containing grease” or other substances “harmful to the building drainage system, the public or private sewer, or to public or private sewage disposal.”².

LMC section 13.16.370 A. states:

Traps/interceptors to capture grease, oil, lint, hair, and/or sand shall be provided when, in the opinion of the [Utility] Director, they are necessary for the protection of the wastewater system from liquid wastes containing excessive amounts of grease, flammable wastes, sand, or other harmful ingredients. Such traps/interceptors may be required, for discharges from service stations, restaurants, automobile repair garages, wash racks, laundries, barbershops, beauty shops, and dry cleaning establishments and other facilities as deemed necessary by the [Utility] Director.

Recently, the discussion of LMC section 13.16.370 has arisen in the community because a survey was collected from every food establishment in the City to determine which do and do not have a grease interceptor/trap. This was done as a recommendation from the Environmental Protection Agency (EPA) as part of their annual pretreatment audit. The

¹ See Ordinance No. 688.

² Uniform Plumbing Code Section 1009.1

City is required to follow EPA guidelines in order to maintain its National Pollutant Discharge Elimination System (NPDES) Permit required by the State of California. Failure to comply with its NPDES Permit will subject the City to fines of up to \$10,000 per day or the possible shutdown of the Lompoc Regional Wastewater Reclamation Plant (LRWRP).

The LRWRP has experienced and received what are known as “fat bergs” a few times in the recent past. When this happens it is because a line that was inundated with fats and grease somehow releases the buildup and it floats through the sewer lines until it reaches the plant. These fat bergs can be over 15 feet long and require multiple employees to chop up the giant mound of fat as it floats in raw sewage, so it can be removed and disposed of in trash cans. More frequently we get fatty flows consisting of chunks of fat that have been broken up causing the machines to be cleaned and staff having to pick the fat from the raw sewage before the sewage can continue for processing. If a fat berg were to coagulate in a main line it could cause a sewer overflow. Under the City’s Sewer System Management Plan (SSMP), the Wastewater Division is required to report such an overflow. Reported violations of the City’s SSMP are posted to the State Water Resources Control Board’s (SWRCB) website. The SWRCB can fine jurisdictions based on reported violations. Fines can be significant monetarily and can increase the level of regulatory oversight going forward.

Discussion:

LMC Section 13.16.370 was adopted in 1963 to protect our wastewater treatment system and sewer infrastructure. Establishments that are more likely to plug sewer lines with grease should be responsible for taking preventative measures to ensure the citizens of Lompoc do not foot the bill for clogged sewer lines. Clogged sewer lines cause wastewater overflows, which make raw sewage back up into private homes and businesses. In addition to fines against the NPDES permit, sewer line backups could cost the City hundreds of thousands of dollars to clean up sewer spills, and remediate damage to private homes and businesses³.

A common misconception is that grease traps are in place to catch grease that is being poured down the sink. Although they could probably do that, that is not why all food businesses are required to have them. All food preparation comes into contact with some sort of fat, grease, oil, or dairy. When you think of a food establishment that would have little to no grease, you may think of a vegan restaurant. When you think about cooking methods and materials used in a vegan restaurant, some of the common ingredients are coconut oil, olive oil, and vegetable oil. All of those items can coagulate in a pipe as they are cooled. This causes a huge problem with sewer lines as soon as the water starts to cool in the line.

When food establishments wash dishes, all the particles of grease that came into contact with those dishes or residual food then goes down the line. Even if the business is using

³ Average claims for sewer backups exceed \$100,000 by each property owner.

soap that helps to break up the fat and oil on the dishes as they are washed, the grease and fats will still cool and coagulate in the sewer line. The grease interceptor/trap filters out the grease because grease density is less than water and therefore it floats to the top and into a separate compartment while heavy food particles fall to the bottom and wastewater flows out through the middle. The grease interceptors/traps must then be cleaned on an as-needed basis and the waste removed without sending it into the sewer line.

Out of the 134 food establishments in the City, 28 were identified in the surveys that had no grease interceptor/trap. A notification letter was sent on November 29, 2018, to the 28 restaurants asking them to come up with a plan and contact staff within 10 days. After attempting visits with every single one of those 28 food establishments, notices of violation were sent out to establishments that i) did not respond, or ii) openly said they would not comply. From there 18 notices of violation were sent out through certified mail, and if the mail was refused, then the letter was hand delivered. Out of 18 notices of violation 14 businesses have been in contact since then and are in the process of coming into compliance or have already achieved it. Four businesses did not respond, and one replied stating they would not install a grease interceptor/trap.

Staff is pleased to report 95% compliance with Section 13.16.370 (including those businesses in the process of complying). The remaining 5% of businesses (including the extreme minority of >1% who think they should be exempt) should also be required to comply. Making an exception for the 5% is unfair to the 95% of businesses that have complied and a disservice to the citizens of Lompoc who will ultimately foot the bill for any problems that arise due to the noncompliance. Additionally, this would open the City up to possible lawsuits from businesses that have been in compliance. While the LMC allows staff to bill businesses for removing illegal discharges from the system, by the time the discharge is detected, it is impossible to ascertain where it originated.

The majority of small restaurant businesses, who do not produce a lot of grease, may install an under-sink interceptor that holds 30 lbs. and has a flow rate of 15 GPM. The average unit cost is \$260.00. This is not unreasonable, and should not put anyone out of business. Staff has been doing everything possible to help businesses get up to code by working with timelines and even applying for grants to try and offset costs. Staff has been requested by some businesses to defer the installation to their busier season in order for the installation cost to be more easily absorbed. In every instance, a time extension has been provided when such a request has been made.

Additionally California plumbing Code sections 1014.0, 1014.3.2 & 1014.1 require a grease interceptor "shall be installed in accordance with the manufacturer's installation instructions to receive the drainage from fixtures or equipment that produce grease-laden waste located in areas of establishments where food is prepared." Ordinance 1619(15) was unanimously adopted by the City Council on December 1, 2015, and enabled staff to allow smaller grease traps installed indoors instead of the larger grease traps that are installed underground outside the building as specified in California Plumbing Code section 1014.3.4.

Fiscal Impact:

Not enforcing Section 13.16.370 would increase the risk to the City's sewer collection infrastructure and will increase the long term maintenance costs related to management of the sewer collection system. Failure to abide by the City's NPDES permit due to the lack of enforcement of Section 13.16.370 would expose the City's regional wastewater reclamation facility to monetary fines, non-monetary penalties, and possible shutdown. It is currently unknown whether the monetary penalties could be borne by rate payers or whether the penalties would have to be paid by the City's General Fund. Staff time would also continue to be utilized to clean up fat bergs and sewer overflows; the cost of which are borne by all the customer classes within the wastewater utility. The additional staff time could also include overtime. In addition to fines, penalties, possible plant shutdown, and staff time, the City could be liable to property owners who experience damage to their homes or businesses when the sewer line backs up releasing raw sewage into their properties coming up through toilets and drains into the buildings. The City could also be liable to other wastewater customers if the City's enforcement of Section 13.16.370 is not uniform and consistent to all applicable customers of the wastewater utility.

Conclusion:

LMC section 13.16.370 was established in 1963 and remains in place for a very good reason. The ordinance protects the entire community and gives an even playing field for all food businesses. It also helps to reduce ongoing collection line maintenance, keeping sewer costs down while protecting the City's sewer lines, treatment plant, and the environment.

Respectfully submitted,

Brad Wilkie, Utility Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Jim Throop, City Manager