

CITY OF LOS ANGELES

CALIFORNIA



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MAYOR

March 3, 2014

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ARLEEN P. TAYLOR
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#1 BOS

Mayor Eric Garcetti
Room No. 305
City Hall
Attn: Mandy Morales

City Council
Room No. 395
City Hall

Subject: PROPOSED AMENDMENTS TO THE LOS ANGELES MUNICIPAL CODE (LAMC) SECTIONS 64.00 AND 64.30 – WASTEWATER TREATMENT PROGRAM


As recommended in the accompanying report of the Director of the Bureau of Sanitation, which this Board has adopted, the Board of Public Works hereby transmits for your approval the draft amendments to the Los Angeles Municipal Code (LAMC) Sections 64.00 and 64.30 for the Wastewater Treatment Program.

It is also recommended, that the City Council instruct the City Attorney to prepare the required ordinance agreements, in final form, for approval by the Mayor and City Council.

FISCAL IMPACT

There is no impact on the General Fund. Approval of the proposed amendments to the Los Angeles Municipal Code (LAMC) Sections 64.00 and 64.30 would bring the City into compliance with the minimum federal pretreatment regulations. Costs associated with industrial wastewater discharge are entirely fee supported under the Sewer Construction and Maintenance Fund (SCM). Revenues to the SCM from the Groundwater Program range from \$500,000 to \$900,000 annually.

Respectfully submitted,


Arleen P. Taylor, Executive Officer
Board of Public Works

APT:mp

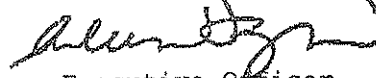




DEPARTMENT OF PUBLIC WORKS

BUREAU OF SANITATION
BOARD REPORT NO. 1
March 3, 2014

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California
AND REFERRED TO THE MAYOR
MAR - 3 2014
AND REFERRED TO THE CITY COUNCIL


Executive Officer

CD: ALL

PROPOSED AMENDMENTS TO THE LOS ANGELES MUNICIPAL CODE
(LAMC) SECTIONS 64.00 AND 64.30 – WASTEWATER TREATMENT
PROGRAM

RECOMMENDATIONS

1. Approve this report and the draft amendments to the Los Angeles Municipal Code (LAMC) Sections 64.00 and 64.30 (Transmittal 1).
2. Forward this report and the proposed LAMC draft amendments to the Mayor and City Council for approval.
3. Recommend that the City Council instruct the City Attorney to prepare the required ordinance amendments, in final form, for approval by the Mayor and City Council.

TRANSMITTAL

Proposed amendments to the Los Angeles Municipal Code (LAMC) Sections 64.00 and 64.30.

FINANCIAL IMPACT STATEMENT

There is no impact on the General Fund. Approval of the proposed amendments to the Los Angeles Municipal Code (LAMC) Sections 64.00 and 64.30 would bring the City into compliance with the minimum federal pretreatment regulations. Costs associated with industrial wastewater discharge are entirely fee supported under the Sewer Construction and Maintenance Fund (SCM). Revenues to the SCM from the Groundwater Program range from \$500,000 to \$900,000 annually.

Bureau of Sanitation

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DISCUSSION

Background

The United States Environmental Protection Agency (EPA), through the Clean Water Act, established the National Pretreatment Program (NPP). The NPP requires industrial users to treat or control pollutants in their wastewater prior to discharging to the Publicly Owned Treatment Works (POTW). The POTW collects wastewater from homes, commercial buildings, and industrial facilities and transports it by a series of pipes, known as the collection system, to the treatment plant. Under the NPP, the General Pretreatment Regulations establish responsibilities of Federal, State, and local government, industry and the public to implement Pretreatment Standards to control pollutants from the industrial users which may pass through or interfere with POTW treatment processes or which may contaminate sewage sludge.

The Bureau of Sanitation, Industrial Waste Management Division is responsible for administering the City's Pretreatment Program to control pollutant discharges from industrial users to the City's sewer collection system. Legal authority providing the basis for the City's Pretreatment Program is established in Sections 64.00 and 64.30 of the Los Angeles Municipal Code (LAMC), referred to as the Industrial Waste Control Ordinance (Ordinance).

Tetra Tech, Inc., on behalf of the Los Angeles Regional Water Quality Control Board (Regional Board), conducted a Pretreatment Compliance Inspection (PCI) of the City's Pretreatment Program in February of 2012. Tetra Tech, Inc. found LAMC Sections 64.00 and 64.30 to be inconsistent with the minimum federal requirements as summarized in their PCI audit report. In response to the audit findings, the City incorporated recommended changes to the Ordinance and submitted to the Regional Board, in a letter dated November 9, 2012, for comment. The Regional Board responded back to the City in a letter dated December 17, 2012 approving and concluding review of the PCI.

The Bureau of Sanitation is proposing modifications to LAMC Sections 64.00 and 64.30 in order to be consistent with the minimum federal requirements.

Proposed Amendments

Pretreatment Program elements affected by the proposed modifications to the Ordinance are the industrial wastewater significant industrial user permit template, permit standard conditions, permit fact-sheet, record-keeping procedures, slug evaluation form, reports to EPA, POTW and industrial user monitoring requirements, and Significant Non-Compliance (SNC) publication.

Other proposed amendments to the Ordinance establish definitions of a Grease Interceptor consistent with specifications as set forth in the City of Los Angeles Plumbing Code and provide for the codification of the recovery of City costs associated with the discharge of water, such as, but not limited to groundwater, from construction and other dewatering activities to the City's sewer collection system.

Specific language for the proposed amendments is provided in Transmittal No. 1. A summary is provided below.

Slug Discharge Control Plan. Amendments to existing legal authority addresses uncontrolled discharges and is being revised to include federal notification and slug discharge control plan requirements.

Permit Conditions. Existing legal authority allows the Director of the Bureau of Sanitation (Director) to include permit conditions in an Industrial Wastewater Permit, as deemed necessary. The proposed amendments to the Ordinance will incorporate more detailed federal regulations including the following:

- (1) Require limits on the discharge of industrial wastewater into the POTW, including Best Management Practices (BMP), based on applicable pretreatment standards, state and local law.
- (2) Require Industrial Users to control slug discharges.
- (3) Require Industrial Users to maintain and make available records of BMP compliance.

Delayed Commencement of Discharge. The current Ordinance requires the commencement of discharge of industrial wastewater into the POTW within 180 days of the issuance of an Industrial Wastewater Permit or the permit is deemed void. An amendment is proposed to modify existing legal authority to exempt construction activities from the 180 days discharge commencement date after an Industrial Wastewater Permit has been issued. This will encourage developers to apply for Industrial Wastewater Permits early in the project cycle.

Grease Interceptor Specifications. An amendment to existing legal authority is proposed to reflect changes in sections and specifications set forth in the City of Los Angeles Plumbing Code.

Reporting Requirements. Existing legal authority allows the Director to impose reporting requirements. Modifications to the existing legal authority will incorporate more detailed federal regulations, as summarized below.

- (1) Required reports must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, with data that are representative of conditions occurring during the report period.
- (2) Require reports from Significant Industrial Users subject to a BMP on a Semi-Annual basis.

Monitoring and Sampling. Existing legal authority allows the Director to impose monitoring requirements. Modifications to the existing legal authority will incorporate more detailed federal regulations as summarized below.

- (1) Require notification of discharge violations and re-sampling.
- (2) Require dischargers to follow all sampling requirements as set forth in 40CFR403.12(g), unless the Director specifies otherwise.

Fees and Charges. LAMC Section 64.30 currently provides for the recovery of City costs associated with the discharge of wastewater to the POTW. Amendment to existing legal authority is proposed to codify the recovery of the City's costs associated with the discharge of construction and other groundwater to the POTW. A summary is provided below:

- (1) Impose a Sewer Services Charge (SSC) for the receiving, transportation, pumping, treatment and/or disposal of construction and other groundwater to the POTW. The SSC rate shall be in accordance with Section 64.41.03 of the Los Angeles Municipal Code.
- (2) Impose a Temporary Facilities Usage Fee for access to the POTW based upon a share of the equity of the system for the disposal of construction and other groundwater. The TFUF rate shall be based on the Sewage Facilities Charge in accordance with Section 64.11.3 of the Los Angeles Municipal Code.

Significant Noncompliance. An amendment is also proposed to modify existing legal authority, removing Significant Noncompliance criteria, and replacing with new criteria.

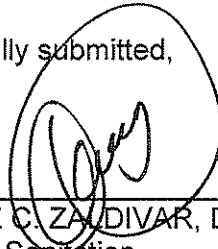
Administrative Order(s). Existing legal authority does not provide sufficient remedies to carry out certain pretreatment program requirements. Modification of existing enforcement legal authority will allow the Director to issue Administrative Orders to guide Industrial Users in violation of LAMC 64.30 and Industrial Wastewater Permit conditions and requirements back into permanent compliance.

Other. Amendments to LAMC Section 64.00, Definitions and Abbreviations, are also proposed to include definitions for terms relevant to the above provisions and other terms pertinent to the Pretreatment Program which are not defined by existing Ordinance. Revision to the numerical sequencing of the existing definitions is also included.

CONCLUSION

In order to comply with federal minimum Pretreatment Program requirements, Los Angeles Plumbing Code, and to codify the recovery of City costs associated with the discharge of water, such as, but not limited to groundwater, from construction and other dewatering activities to the POTW, it is recommended that the Board approve this report along with the proposed draft amendments to LAMC 64.00 and 64.30 and transmit them to the Mayor and City Council for approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Enrique C. Zaldívar", is written over a horizontal line. The signature is enclosed within a hand-drawn circle.

ENRIQUE C. ZALDIVAR, Director
Bureau of Sanitation

Prepared By:
Lonnie Ayers, IWMD
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