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Waste Discharge Requirements Unit
State Water Resources Control Board
1001 I Street, 15th Floor
Sacramento, CA 95814

Subject: SSO Reduction Program - WDR Comments

All comments are specific to the FOG Control Program requirements. The FOG Control Program requirements are as follows with certain wording underlined based on the comments below:

(vii) FOG Control Program

Each Enrollee shall evaluate its service area to determine whether a FOG control program is needed. If an Enrollee determines that a FOG program is not needed, the Enrollee must provide justification for why it is not needed. If FOG is found to be a problem, the Enrollee must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:

(a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;

(b) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area;

(c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;

(d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;

(e) Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance;

(f) An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and

(g) Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in (f) above.

Comments:

- 1) (Opening paragraph – Wording Change Recommendation) The title of the section “FOG Control Program” is appropriate since it includes all elements associated with FOG control (e.g., education, disposal, inspections, sewer cleaning). However, the third sentence states that an enrollee must prepare and implement a “FOG Source Control Program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:” This wording is specific to “FOG Source Control” and those efforts that will reduce the amount of FOG discharged to the sanitary sewer system. “Source” control would not typically include FOG disposal or sewer cleaning. This wording may have the unintended consequence of causing Enrollees to focus only on the “source” control elements even though the other elements are listed in (b) and (f). This may appear inconsequential, but EEC has experienced that many sewer agencies have traditionally defined their FOG control program only in terms of what they are doing as it relates to FOG “source” control [e.g., ordinance, food service establishment (FSE) inspections] without understanding that FOG control includes proper FOG waste disposal and identifying sections of the sewer subject to FOG blockages and establishing a cleaning maintenance schedules for each section.

EEC recommends that the wording be slightly modified to read: “If FOG is found to be a problem, the Enrollee must prepare and implement a FOG control program to reduce the amount of these substances discharged to the sanitary sewer system, to prevent FOG from causing blockages, and to facilitate proper disposal of FOG waste.”

- 2) [(b) – Wording Change Recommendation] The wording: “a plan and schedule for the disposal of FOG...” is causing unintended confusion. Because the plan may include “a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area”, Enrollees are often satisfying this requirement by providing a list of private disposal facilities/haulers to their FSEs or Enrollees are providing their own FOG disposal facility (e.g., POTW receiving station). There is typically no “schedule” involved with these plans.

EEC recommends that “schedule” be removed or clarified.

- 3) [(c) Clarification Request] It is unclear how legal authority is related to “identifying measures to prevent SSOs and blockages caused by FOG.”

Perhaps the requirement to “identify measures to prevent SSOs and blockages caused by FOG” should be a separate requirement from the legal authority requirement.

- 4) [(d) Wording Change Recommendation] The term “grease removal device” refers to a specific type of grease interceptor in the Uniform Plumbing Code. Specifically, it is any hydromechanical grease interceptor that automatically, mechanically removes non-petroleum fats, oils, and grease (FOG) from the interceptor, the control of which are either automatic or manually initiated. This could create unintended confusion.

EEC recommends that the wording be changed to a “grease control device” which has a more general meaning and does not have a specific definition in the Uniform Plumbing Code.

- 5) [(d) Wording Change Recommendation] This element includes grease removal device “reporting requirements”. Enrollees may require FSEs to keep maintenance records available for FOG inspectors to inspect, but typically there are no reporting requirements involved with the installation and maintenance of these devices.

EEC recommends that “reporting requirements” be removed.

- 6) [(g) Clarification request] This element is a new and potentially unclear concept for many Enrollees which may result in many Enrollees failing to properly implement it. Based on EEC’s experience with the North Orange County WDR which contained essentially the same wording, this requirement was discussed at length with Ken Theisen of the Santa Ana Regional Water Quality Control Board (the author of the order) to clarify what was expected. Based on these discussions, many of the North Orange County Enrollees conducted FOG Characterization Studies which resulted in inspecting their FOG Hot Spots, identifying the sources of FOG upstream of those Hot Spots (e.g., FSEs, apartment buildings), and developing specific FOG source control strategies at those identified sources. The State-wide Enrollees have not had the benefit of clarification that the North Orange County Enrollees received.

EEC recommends a clarification of what is being required by the State-wide WDR concerning (g)?

If you have any questions concerning these comments, please feel free to contact me at (714) 667-2300.

Thank you,
EEC



John Shaffer
President