

Agenda Report

TO: CITY COUNCIL
THROUGH: PUBLIC SAFETY COMMITTEE

DATE: February 4, 2002

FROM: CITY MANAGER

SUBJECT: PROPOSED AMENDMENT TO TITLE 8 OF THE PASADENA MUNICIPAL CODE TO PROHIBIT RESTAURANT DISPOSAL OF COOKING GREASE

RECOMMENDATION

It is recommended that the City Council direct the City Attorney to amend Title 8 of the Pasadena Municipal Code to prohibit the disposal of fats, grease, and oils from food establishments into the municipal sanitary sewer system and require food establishments to adopt Best Management Practices.

EXECUTIVE SUMMARY

The Federal EPA has found that sewage overflows in municipal sewer systems are often caused by poor sewer collection systems and/or poor disposal practices. When large numbers of restaurants are located in a small area, cooking grease and oil can enter the sewage system. This collection of grease can create blockages and force raw sewage to escape through manhole covers, surface drainage systems or other inappropriate exit points releasing contaminants which create public health risks and property damage.

Current state and local health codes for restaurants do not regulate the disposal of cooking grease. Given the high concentration of restaurants and increasing problems with improper grease disposal in Pasadena, staff recommends that the City Council adopt an ordinance that addresses the disposal of fat, oil, and grease. Under this proposed ordinance, existing restaurants would be required to adopt Best Management Practices to reduce the amount of fat, oil and grease entering the public sewer system and new restaurants would be required to install equipment to separate the grease from the waste water prior to entering the sewer system.

BACKGROUND

Sewer overflows occasionally occur in almost every municipal sewer system. They pose a significant public health threat including spread of communicable diseases and compromise the quality of water used for drinking and recreation. If undetected and/or not contained, the sewage may also enter a surface drainage system, where it will be drained into the ocean contaminating the area where the drain empties.

Improperly managed fats, oils, and grease from restaurants have become a significant problem and are the primary causes of overflow incidents. When large numbers of restaurants or high-density housing units are located in a small area, cooking grease and oil can enter the sewage system and accumulate and solidify in the pipes causing the narrowing and eventual closing of the pipe's internal opening. Incoming sewage is then forced to escape through manhole covers or other exit points. The concentration of restaurants in this city and recent occurrences indicate that an ordinance is needed in Pasadena to control the disposal of fats, oils, and grease in the sanitary sewer systems.

In March 2000, a blocked sewer line caused sewage to back up onto streets, sidewalks, and into businesses located in the Playhouse District. The incident was caused by a grease blockage from one or more unidentified restaurants. Some businesses were forced to close until private clean-up contractors completed decontamination procedures. Claims for damages and lost business were filed by businesses that were affected by this incident and the City paid approximately \$55,000 in settlements to businesses, which did not include the cost of labor and materials incurred by the City.

Restaurants should dispose of their fats, oils, and grease using one of the following four methods: grease traps, grease interceptors, large covered barrels or solid waste disposal. (See table below for descriptions and associated costs). The installation of grease interceptors and traps are the most effective methods to prevent the buildup of grease and oil in the sewer line; however, for best results it should be used only after all other preventive measures have been implemented.

Approved Restaurant Grease Disposal Methods

Method	Description	Cost
Grease traps	Small devices hooked directly to the outgoing drains of sinks and dishwashers and are installed inside the restaurant. The equipment will separate the grease from the wastewater before it can enter the sewer.	\$800 to \$2,500 for a restaurant to install
Grease interceptors	Large underground tanks installed outside the restaurant and connected to the restaurant's outgoing sewer drainage system.	\$15,000 to \$30,000;
Large covered barrels	Used for higher quality cooking grease; kept covered and then collected by commercial grease rendering companies who sell it for industrial use; usually placed outside the restaurant; easily accessible and are usually not a contributing factor to the problem, unless they are accidentally spilled and the contents enter sewer or storm drains	Restaurants pay \$20-\$25 fee for pick ups
Solid waste disposal	Small amounts of grease can be disposed of by wrapping the grease in paper or storing in a container for disposal with the restaurant's daily trash and garbage	No cost

Ordinance Proposal

Staff recommends that the City Council adopt a grease ordinance to regulate the disposal of fat, oil, and grease from restaurants. Establishments that would be exempt from this ordinance are retail food markets (supermarkets, convenience stores, liquor stores, juice and beverage bars, candy stores, and snack shops), sandwich shops and movie theaters, because of the minimal amounts of fats, oils or grease that are used in their food operation. This proposed ordinance would require restaurants to:

- 1) Adopt Best Management Practices
- 2) Prohibit the deliberate disposal of large quantities of fat, oil, or grease into drains, garbage disposals, and toilets, by an employee or owner.
- 3) Store the grease in an approved container with tight-fitting lid and require that the storage container be kept in a secured area to prevent spilling caused by vandalism.
(For restaurants that recycle grease only)
- 4) Install grease traps or interceptors as directed by the Public Health Department or the Public Works Department. *(For new restaurants and restaurants undergoing major renovations only)*

Best Management Practices (BMP)

BMP, when used by restaurants, are simple and cost-effective methods that will reduce the amount of unnecessary fats, oils, and grease from entering the public sewer system. BMPs, which are endorsed by the California Restaurant Association, include the following measures:

- 1) Not pouring grease or oil down sink drains, garbage disposals or into toilets;
- 2) Scraping grease and food scraps from trays, plates, pots, pans, utensils, grills and cooking surfaces into a container for disposal or recycling before washing;
- 3) Cleaning up spilled grease and oil before it can enter the drain; and
- 4) Storing grease and oil in a closed container for recycling.

The Public Health Department will include, as part of the restaurant's health inspection, the examination of the restaurant's BMP policy for the handling of fats, oils, and grease. Educational material will be given to establishments that do not have a BMP policy on file. If the Public Health Department suspects a restaurant is deliberately disposing grease into the drains, a referral will be given to the Public Works Department to inspect their sewer line for the accumulation of grease.

Sewer video camera systems were purchased as part of the Joint Cities Agreement between Glendale, Burbank, and Pasadena. Each participating city shares in the cost to acquire, maintain, operate, and replace the sewer video camera systems. Pasadena has scheduled use

of the vehicles for four months per year and can also request their usage for short periods of time when an emergency or other immediate need arises.

Penalties

Public Works Department staff currently clean all sewer lines throughout the City at least once a year as part of the sewer maintenance program. Special "grease runs," or high pressure cleaning of sewer lines, are also scheduled quarterly, and sometimes even monthly, in areas where the improper disposal of grease has been a problem in the past. Problem areas are commonly found in areas of the City where there are many restaurants. When staff finds a sewer line with evidence of improper grease disposal during their inspection, they videotape the pipe, forward a copy to the Public Health Department for follow-up, and then clean the affected sewer line. The Public Works Department will conduct a follow-up inspection of the sewer line to ensure the restaurant has complied with proper grease disposal methods.

A noncompliant restaurant will be required to attend an administrative hearing with the City Engineer and Environmental Health Services Division Manager to determine if the owner should install a grease trap or interceptor to correct the problem. If the restaurant owner continues to violate the ordinance a complaint will be filed with the City Prosecutor. A violation of the ordinance will be considered as a misdemeanor offense and may result in a maximum fine of \$1,000.

Similar Efforts in Other Cities

Several cities in Southern California have recently addressed their grease buildup and disposal problem. The City of Santa Monica adopted a policy mandating all restaurants to conduct operations in a manner that would avoid causing grease blockages to the City's sewer. The Santa Monica policy requires facilities to use grease-rendering companies for disposing of restaurant grease. The policy also requires businesses to install grease interceptors or traps where the City has obtained evidence that grease discharged by the business is adversely affecting the sewage system. The City of San Diego reported a 48% reduction in the number of sewage spills as a result of aggressive inspection and enforcement of their grease discharge ordinance for restaurants.

In July 2001, the City of Los Angeles adopted an ordinance to address the disposal of grease by restaurants, as a settlement between the City of Los Angeles and Santa Monica Bay Keeper Organization for failure to enforce the Federal Clean Water Act. The California Restaurant Association (CRA) endorses the City of Los Angeles' Grease Ordinance. The components of their program include the following: (1) all restaurants are to use Best Management Practices (BMPs) to reduce grease discharged to the sewer system; (2) any restaurants known to cause grease-related spills, deliberately disposing large amounts of grease and oil into the drain or fail to implement BMPs will be required to install a grease interceptor or trap; (3) all new construction of a restaurant must include installation of a grease interceptor; (4) all existing restaurants planning a remodel valued at \$100,000 or more will be required to include installation of a grease interceptor; and (5) all restaurants that discharge grease will be required to obtain an industrial wastewater permit, pay a one-time application fee and pay an annual permit fee.

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Outreach to Restaurants

In December 2001, restaurants that may be affected by the new ordinance were sent an information letter about the proposed Grease Ordinance. Restaurant owners were also invited to the January 16, 2002 meeting of the Pasadena Restaurant Association where the proposed ordinance was introduced to the Association. Overall, the attendees endorsed the adoption of the Grease Ordinance as an effective method to control fats, oils, and grease in the sewer without imposing an additional cost to the business.

Operational and Financial Considerations

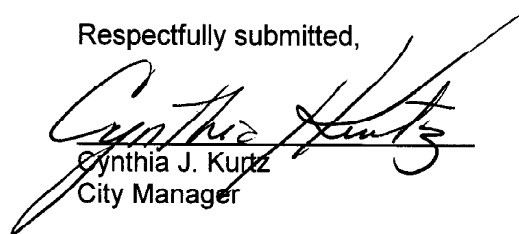
The Public Works Department staff's availability to do routine sewer line maintenance is compromised by the "grease runs" in problem areas adjacent to restaurants and other businesses that dispose of grease. With a properly enforced grease ordinance and businesses' cooperation, sewer line maintenance could be reduced to once or twice per year, eliminating the monthly and quarterly special runs and permitting staff to return to their regular scheduled preventative maintenance program.

The cost of compliance inspections by the Public Health Department will be included in the annual health permit fees paid by restaurants. The Public Health Department is evaluating the health permit fees paid by restaurants and retail food markets for FY 2002-2003 to ensure full cost recovery of health inspections provided to food establishments. Any proposed fee increases for FY 2002-2003 will be included in the General Fee Schedule, which will be reviewed by the Finance Committee and City Council.

FISCAL IMPACT

This action by City Council will have no fiscal impact on City Funds. In general, compliance costs will be minimal with the exception of new and renovated restaurants that may have to pay for equipment that will range in cost from \$800 to \$30,000. Fee adjustments for FY 2003 will take additional staff effort into consideration.

Respectfully submitted,



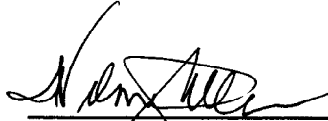
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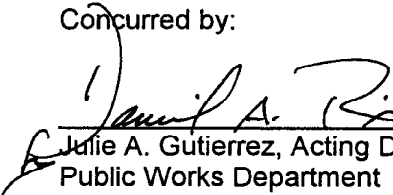
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