



# STAFF REPORT

## SAUSALITO CITY COUNCIL

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### AGENDA TITLE:

Review of Sewage Spill Reduction Action Plan – 2008 Response to EPA Notice of Violation and Order for Compliance Docket No. CWA -209(a)-08-031

### RECOMMENDED MOTION:

Accept the above report. Provide staff direction with regard to revisions and authorized submission of the Report to the EPA in compliance with the October 15, 2008 Deadline.

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### SUMMARY

On April 10<sup>th</sup>, the Federal Environmental Protection Agency issued a Findings of Violation and Order for Compliance. Named in this document are the City of Sausalito (City), Sausalito Marin City Sanitary District (SMCSD), and Tamalpais Community Services District (TCSD). The order requires the preparation of numerous action plans.

Many of these plans must be developed and submitted to the EPA by October 15, 2008. The plans, when implemented, require the three agencies to better coordinate and to increase service levels. On July 15<sup>th</sup>, 2008 the City Council authorized entering into an agreement with RMC Water and Environment and the Sausalito Marin City Sanitary District to prepare a response that responds to the Order. RMC prepared responses to the various requirements contained in the EPA Order. The responses and plans are contained collectively in a document entitled Sewage Spill Reduction Action Plan. The plan is attached for the Council's review.

Staff will provide a summary of the Plan and identify policy elements which the Council may desire to provide staff and the consultant direction for revision.

### BACKGROUND

The Council was provided a copy of the EPA Order in July. Attached to this report is Attachment 2 from the Order providing a summary of requirements from the EPA Compliance Order.

The attached plan is based on a comprehensive review of operations of the City of Sausalito Sewer Enterprise (Sausalito), the Sausalito Marin City Sanitary District

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Item #: LAB  
Meeting Date: October 7, 2008  
Page #: 1

(SMCSD) and the Sewer Enterprise of the Tamalpais Community Services District (TCSD). RMC had done work for SMCSD on a wet weather conveyance and hydraulic modeling of SMCSD primary conveyance that operates in Marin City and in the City of Sausalito's City Limits. As such the consultant had some familiarity with management systems that had been developed for Sausalito.

The objective of the Compliance Order is quite simple. The EPA and the San Francisco Regional Water Quality Control Board (Regional Board) want sanitary agencies to discharge treated water in compliance with permits. These agencies also want to see no overflows of the sewers.

The City of Sausalito operates most of the sanitary sewer system within the City Limits. In operating this collection system and by administering Section 18.12 of the Sausalito Municipal Code, the City provides services and operates a number of programs to address those goals. The RMC Report evaluates the efforts in a format and structure that is consistent with the Order requirements.

Staff reviewed the report. There are some very minor errors that need correcting. The report identifies several issues of a policy nature. At this time staff makes no recommendations regarding the policies, we only describe policy issues that emerged from our review.

Staff has prepared a summary of the report structured in a way consistent with the Order requirements. Where appropriate we identify policy issues.

Submit Sanitary Sewer Overflow Response Plan

Sausalito is required to have a Sewer Overflow Response Plan as a part of Waste Discharge Requirements issued by the State Water Resources Control Board Order 2006-0003 that was issued in 2006. A copy of the Overflow Response Plan is attached to the RMC Report. The Overflow Response Plan was revised after the August 10, 2008 Main Street Overflow. The revisions updated telephone numbers, names and added service providers. Additional training was provided to staff and wallet insert for telephone numbers were prepared and distributed.

There is a standard in the EPA order that may be difficult to fully comply with. The order requires overflow response in 30 minutes. While this standard can be met as a result of City Public Safety Personnel arriving to do assessment and to cordon off unsafe areas, having maintenance crews at the site 24/7/365 within 30 minutes may not be achievable given where our public works staff live. The response sets a standard of 60 minutes. This standard, too, may be a challenge. Historically, Public Works staff have been able to respond in that time period.

There is also a requirement that the overflow program is to ensure containment, termination, maximum recovery and cleanup. Current practices have been to either

flush spilled sewage into the storm drain system or hand shovel material to remove it from the overflow site. This practice will be soon modified as the City takes delivery of a medium size combination (vactor/flusher) vehicle to assist in overflow recovery and cleanup. The vehicle will be able to vacuum remove spilled sewage. Time will tell if this vehicle is of adequate in size to ensure containment of all overflows. The vehicle selected was the largest vehicle that can navigate Sausalito streets. There is a challenge that some sewers are right at the waterfront and/or are located in areas of tidal inundation. Overflows in these locations are and may continue to challenge the City with regard to containment. The City will need to enter into agreements to safely dispose and/or treat collected sewage.

There is a requirement to sample and monitor surface water. This requirement will require the City either to develop a sampling program or contract the service out. A sampling program would require the acquisition of sampling kits, training of staff to sample and transport samples to laboratories.

Staff believes record keeping and notification requirements of the existing Overflow response plan currently meet EPA requirements.

Policy Issues regarding this matter consist of:

1. Consideration to revise MOU with the Public Works crews to add "Standby" policies during non-work hours to assure 1 hour response to overflow notices.
2. Consideration of mutual aid agreements with SMCSO, TCSD, and/or the various Sewer Agency of Southern Marin (SASM) agencies for overflow response services.
3. Revisions to Overflow Cleanup practices including training on operation of Combination Vehicle.
4. Consideration of sewage disposal agreement.

Submit Sanitary Sewer Cleaning and Root Control Plan

The City has had an active in-house Sewer Cleaning Program for many years. The City acquired a flusher vehicle, a rodding vehicle, in the early 1990's and a video truck in the mid 1990's. The City is about to take delivery of a Combination Vactor/Flusher Truck. The City has been proactively cleaning and inspecting its sewer lines since approximately 2001. Staff believes the City is fully compliant with this element of the EPA order.

RMC is inquiring whether the City relies on chemical root control products. The City doesn't use chemical root control currently. Public Works staff indicate that it was tried but the efforts were done twenty years ago or more.

There may be an opportunity for the City to provide Sewer Cleaning and Root Control Program services to SMCSO, TCSD and SASM agencies that lack staffing resources.

Policy Issue regarding this matter:

1. Consideration of the use of Chemical Root control materials.
2. Consideration of offering services to outside agencies for Sewer Cleaning and Root Control.

Obtain and Implement MMS

Monthly sewer maintenance work plans have been developed and followed up as a result of using a sewer Maintenance Management System (MMS) computer program called ICOMMM. ICOMMM includes a complete inventory of City Sewer mains, pump stations, manholes. ICOMMM includes mapping of entire sewer system using a GIS based mapping program. Enough information is contained in the management system to enable hydraulic modeling of its operation. Staff believes the City is fully compliant with the EPA order on this matter. SMCSD also uses ICOMMM. Both Sausalito and SMCSD report challenges using the program. The program is not easy to use. Some functions can only be operated with vendor assistance. TCSD is currently developing a MMS. No changes are proposed for ICOMMM however there may be a need to have updates done to enable better coordination with SMCSD and TCSD. Updates may also need to be done to better respond to Compliance Order requirements and to make the system more user friendly.

Submit FOG Program Report

The RMC report documents the management of Fats, Oils and Grease (FOG). FOG is believed to be a big contributor to sewer overflows, nationally. As a result of the City's sewer maintenance program FOG is not a major contributor to overflows. This point is important because there are more restaurants in Sausalito than in SMCSD and TCSD combined.

The City Sewer Ordinance requiring grease traps is large factor in controlling FOG.

The other factor is proactive maintenance. The City's efforts, to date, have been to remove accumulations of grease by rodding and jetting of the sewer mains and to rely on private businesses to clean their grease interceptors on a regular and timely manner. Some private interceptor techniques flush grease into the sewer mains while other techniques remove the material and either recycle or dispose of it. The City maintenance practice flushes the material down to the SMCSD Treatment Plan where it is collected and disposed of. The combination vehicle, when it arrives, may provide the City the tools needed to remove grease. These operation changes are expected to benefit the District. Grease disposal costs may go down for SMCSD and would go up for the City.

City staff has been collecting vendor proposal information to more aggressively control FOG. The information is about hiring third parties to perform business inspections and/or FOG disposal services to FOG generating locations in the City. There are many outstanding questions regarding these services including relationship to other Code Enforcement efforts, actual cost to implement the program, determination of whether the costs should be borne by the City or by the FOG generators. Staff expects to work with an ad hoc committee of FOG generators to identify problems in the proposals and to gauge interest and support for these potentially new services.

Policy issues regarding this matter:

1. Consideration of whether Sausalito should actively remove FOG from its mains and reduce FOG discharges to SMCS D
2. Consideration to initiate a FOG inspection and grease trap maintenance service for FOG generators in the City.

Submit Inspection and Assessment Plan,  
Submit Inspection Report

The EPA order requires that the City inspect its sewer lines by 2010. The RMC report notes the City voluntarily inspected its entire network in 2000/2001. From this effort a condition assessment was made for all segments where data could be collected (some segments were inaccessible to video cameras). A repair program was also developed and has been partially implemented. The RMC report indicates that 38,009 feet of sewer are to be scheduled for re-inspection by 4/15/2010. The draft report commits the City to doing 20% of this work in 2009 and the remaining 80% in 2010. The new assessment will utilize standardized condition assessment system that was developed since the 2000/01 assessment. Staff believes that this response meets the EPA requirements. Staff recommends deletion of commitment to inspect 20% in 2009 and 80% in 2010. Instead staff believes a commitment to do 100% inspection of the 38,009 feet by 2010 by using one inspection/assessment contract. Staff believes there are no significant policy questions with this response.

Submit Capacity Assessment Report and Install flow meters

The RMC report documents existing flow monitoring efforts. Currently there are no flow meters in Sausalito facilities. Because flow meters do exist at certain facilities within the control of SMCS D and TCSD, Sausalito information can be determined to the extent demanded by the EPA by 10/15/2008. There is a longer term demand for flow data so that the City can better determine infiltration and inflow problems. To that end RMC has proposed temporary flow metering. The report has one error, RMC identified the princess street pump station as a City facility. It is owned and operated by SMCS D. This error is expected to be corrected by submittal. Staff believes that this response will satisfy EPA order requirement.

Policy Issue regarding this matter:

1. Consideration of amending agreements with SMCSD regarding pump station maintenance to include specific language regarding flow meter installation, operation, maintenance and reporting.

Submit and Implement Short-Term Contingency Plan  
Submit Implementation Study Report

The RMC report includes recommendations. Staff makes no recommendation at this time of report preparation. The Sewer Subcommittee meeting is scheduled for 10/2/2008. Recommendations for changes may immerge from that meeting.

## **FISCAL IMPACT**

None to the General Fund.

New activities are proposed including:

- 1) Changes in personnel management to respond to overflows,
- 2) Installation, maintenance and management of flow meters and flow data,
- 3) Sewer reinspection and condition assessment,
- 4) FOG handling and disposal,
- 5) Business inspection and enforcement for FOG management,
- 6) Water Quality sampling collection, transport and testing,
- 7) Contracting with a vendor for chemical root control services.

which will result in new costs. At this time the cost of these new activities are unknown. Efforts will be made to develop cost estimates in coming months as service proposals are requested.

The City has begun a Fee Study. New costs are expected to factored into any proposed fee changes.

There is an opportunity to provide contract services to TCSD and SMCSD for sewer cleaning.

Failure to implement required new activities could result in substantial fines and/or loss of control of the Sewer Enterprise.

## **STAFF RECOMMENDATIONS**

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Item #: LeB  
Meeting Date: October 7, 2008  
Page #: 6

Accept the above report. Provide staff direction with regard to revisions and authorize submission of the report to the EPA in compliance with the October 15<sup>th</sup> deadline.

## ATTACHMENTS

Attachment 2, EPA Order  
Draft Sewage Spill Reduction Action Plan

PREPARED BY:

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Todd Teachout, City Engineer

REVIEWED BY (Department Head):

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Mary Wagner, City Attorney

SUBMITTED BY:

*Adam W. Politzer*  
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Adam W. Politzer  
City Manager

Region 9  
**Attachment 2: Finding of Violation and Order**  
Docket No. CWA-309(a)-08-000  
Timetable Listing of Requirements of Administrative Order

**October 15, 2008**

- IIA. Submit Sanitary Sewer Overflow Response Plan
- III.A.1. Submit Sanitary Sewer Cleaning and Root Control Plan
- III.B.2. Obtain and Implement MMS
- III.D. Submit FOG Program Report
- IV.A.1. Submit Inspection and Assessment Plan
- IV.A.2. Submit Inspection Report
- IV.B.1. Submit Capacity Assessment Report and Install flow meters
- V.A. Submit and Implement Short-Term Contingency Plan
- VII. Submit Implementation Study Report

**April 15, 2009**

- III.B.2. Link MMS to GIS map
- III.C.1. Submit Pump Station Report
- III.C.2. Submit Pump Station Certification
- III.C.3. Submit Pump Station Upgrade Plan

**October 15, 2009**

- IV.B.2. Submit Flow Monitoring Report

**October 15, 2010**

- IV.A.4. Submit Inspection and Condition Assessment Final Report
- IV.B.3. Submit Capacity Assessment Report
- V.B.1. Implement Capacity Assurance Improvements
- VI.A.1. Submit Infrastructure Renewal Plan

**October 15, 2013**

- V.B.2. Complete Short-term Improvements

**Quarterly Spill Reports Due Each January 15, April 15, July 15, and October 15, beginning 2008:**

- IX.A. Quarterly Spill Reports