



# **City of Yakima**

## **Annual Pretreatment Report**

### **2021**

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## **EXHIBITS**

- Exhibit A** 2021 Pretreatment Newsletter
- Exhibit B** Chapter 7.60 Wastewater Collection and Treatment Rates and Charges-  
Yakima Municipal Code Ordinance Amendment
- Acronym Glossary
- Exhibit C** Local Limits
- Exhibit D** Up-dated Non-Domestic Inventory
- Significant Industrial Users (SIUs)
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- Exhibit E** Authorization to Discharge
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- Exhibit F** SIU Sampling Results
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- Priority Pollutants – Metals, phenols, cyanide, VOCs, Semi-VOCs, and pesticides / PCB.
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    - Metal and Priority Pollutant Removal Rates
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    - Spring/Summer 2021 –Chronic WET Test Results
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- Exhibit M** Special Agreement Pretreatment Annual Reports
- City of Union Gap Annual Pretreatment Report
  - Terrace Height Sewer District/City of Moxee Annual Pretreatment Report

## **A. Introduction**

The City of Yakima's (City) National Pollutant Discharge Elimination (NPDES) Permit No. WA-0024023 as issued by the Department of Ecology (Ecology), states as a condition of the permit under § S6.A.4, that the City shall provide Ecology with an annual pretreatment report of its fully delegated Pretreatment Program (to be submitted no later than April 15<sup>th</sup> of each year) to briefly describe its program activities during the previous calendar year.

The City enforces Federal, State and local limits on discharges to the publicly owned treatment works (POTW) through the fully delegated Pretreatment Program, the more stringent being defined as Pretreatment Standards under § 307 (d) of the Clean Water Act. The City performs inspections and monitoring activities on twenty-four (24) significant industrial users (SIUs) and over 480 minor industrial users (MIUs). The City also administers permits to 7 extra-jurisdictional facilities. A thorough inspection and monitoring of each SIU shall be conducted at least annually.

## **B. Sewer Use Ordinance and Special Agreement Changes**

There were no Sewer Use Ordinance or Special Agreement changes in 2021.

A copy of Yakima Municipal Code Chapter 7.60 Wastewater Collection and Treatment Rates and Charges is included in ***Exhibit B***.

## **C. Local Limits**

There were no changes to the local limits in 2021. The City performs annual local limit reviews as a quick check for any obvious signs that local limits may not be adequately protective of its treatment works, its workers and the environment from the effects of interference and pass through. A list of City of Yakima local limits is included in ***Exhibit C***.

## **D. Staffing and Funding of the Pretreatment Program**

There were staffing and funding changes in 2021. Codified sewer rate increases became effective January 1, 2021, including increases in the monthly sewer pretreatment fee for MIU's and strong waste surcharges. The City intends to continue to provide adequate funding for staffing, capital equipment and supplies for Pretreatment in 2022.

<u>Job Title</u>	<u>Number of Full Time Equivalents</u>
Pretreatment Supervisor	1
Environmental Compliance Specialist	1
Pretreatment Crew Leader	3
Pretreatment Technician	3

## **E. Industrial (IW) Surveys**

In accordance with 40 CFR 403.8 (f)(2)(i), the City of Yakima is identifying and locating all possible industrial users which might be subject to the Pretreatment Program. Preliminary industrial waste (IW) surveys are submitted to each business with their business license in the Codes Department. Business owners can also obtain IW Surveys by going to the City's website. Upon receipt of the completed IW survey in the pretreatment office, the business is added onto a spreadsheet and tracked. An initial review of the IW survey is made to determine whether this business is of "concern" to the City's POTW. If the IW survey is designated as a "no concern" the survey is filed with no further follow-up. An inspection and possible testing are used to determine whether to add the possible industrial user to the Pretreatment Program. When an initial review or inspection reveals the business or industry to possibly be an SIU or MIU, Pretreatment submits "Follow-Up" IW surveys to the businesses in question. The "Follow-Up" IW survey is more in depth and thorough regarding chemical usage and discharge characteristics.

## **F. Notification of Promulgated Pretreatment Standards and/or Local Standards**

SIUs and MIUs are notified of any changes to the Pretreatment Standards including the proposed local limits through newspaper Public Notice, written notification, telephone conversations, and during inspections.

A copy of the 2021 Pretreatment Newsletter was sent by email to all SIU's. This newsletter is included in **Exhibit A**

## **G. Updated Non-domestic Inventory**

### **Significant Industrial Users (SIUs)**

The City of Yakima considers the following types of businesses in our service area to be SIUs because of one or more of the following criteria:

1. Is subject to Federal categorical pretreatment standards; or
2. Discharges an average of twenty-five thousand gallons per day or more of process wastewater to the POTW (excluding domestic wastewater and non-contact cooling water); or
3. Contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
4. Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

## Minor Industrial Users (MIUs)

The City of Yakima considers the following types of businesses in our service area to be MIUs because of one or more of the following criteria;

1. Discharges wastewater which meets at least one of the following criteria:
  - a. Daily average process wastewater flows exceed five thousand gallons per day, but not more than twenty-five thousand gallons per day (excluding domestic wastewater and non-contact cooling water); or
  - b. Maximum daily discharge volume which exceeds one percent of the average dry weather hydraulic or organic capacity of the POTW; or
2. Is otherwise deemed by the City to be categorized as a MIU.

Businesses that are classified as an MIU include food service establishments, automotive facilities, dental and medical clinics, grocery stores, laundromats, schools, jails, assisted living facilities, as well as miscellaneous businesses deemed by the City as having the potential to cause interference or pass-through at the POTW.

An updated non-domestic inventory that includes both SIUs and MIUs has been enclosed as **Exhibit D**. The SIU list also indicates the date that each facility was inspected in 2021.

## H. Authorization to Discharge

Authorization to Discharge Temporary Permits - Temporary discharges, such as groundwater clean-up, require an "Authorization to Discharge".

The City issued the following temporary 'Authorization to Discharge' permits during 2021.

1. **Nob Hill Water Association:** (Dave England) was issued an Authorization to Discharge (effective January 1, 2021 – December 31, 2021) to batch discharge potable water used to flush dead ends or new mains at various locations throughout the Nob Hill Water system.
2. **Kane Environmental Inc.:** Was issued an Authorization to Discharge (effective April 15, 2021 – April 30, 2021) to discharge groundwater at the Safeway Fuel #462 site at 215 N. 5<sup>th</sup> Ave. Yakima, WA 98902.

Copies of the Authorization to Discharge for Nob Hill Water Association, and Kane Environmental Inc. have been included in **Exhibit E**.

## I. Industrial Wastewater Discharge Permits

The City is responsible for issuing all SIUs an industrial wastewater discharge permit. Industrial wastewater discharge permits are issued for a specified time period of up to five (5) years. Permits issued by Ecology and delegated to the City of Yakima will be re-written and issued to the SIU by the City. Wastewater discharge permits, however, may be extended at the discretion of the Wastewater Manager. Seven new Industrial Wastewater Discharge Permits were re-issued/issued in 2021.



1. **International Paper Company:** 600 W. Ahtanum Rd. **Permit #CY-IPC-32.** A five year permit became effective on March 15, 2021 and expires at midnight on March 14, 2026.
2. **Congdon Packing Co., LLC 64<sup>th</sup> Ave.:** 1117 S. 64<sup>th</sup> Ave. **Permit #CY-CO-05.** A five year permit became effective on April 1, 2021 and expires at midnight on March 31, 2026.
3. **Evans Fruit & Cold Storage:** 5002 Tieton Dr. **Permit #CY-EFC-04.** A five year permit became effective on April 1, 2021 and expires at midnight on March 31, 2026.
4. **Columbia Reach Pack:** 3107 River Rd. **Permit #CY-CRP-27.** A five year permit became effective on July 1, 2021 and expires at midnight on June 30, 2026.
5. **Frosty Packing Company, LLC:** 1225 N. 28<sup>th</sup> Ave. **Permit #CY-FP-30.** A five year permit became effective on September 15, 2021 and expires at midnight on September 14, 2026.
6. **Renegade Powder Coating:** 916 W. Rose St. **Permit #CY-RPC-33.** A five year permit became effective on December 1, 2021 and expires at midnight on November 30, 2026.
7. **Magic Metals, Inc:** 912 W. Rose St. **Permit #CY-MM-34.** A five year permit became effective on December 1, 2021 and expires at midnight on November 30, 2026.

## **J. Compliance Inspections**

The City of Yakima conducted a compliance inspection on twenty-four of the twenty-four SIUs, at least once during 2021 in accordance with 40 CFR 403.8(f)(2)(v) and § S.6.A.d. of the City's NPDES Permit. All facilities are subject to random inspection. A copy of the Compliance Inspection Report was sent to each of the SIUs.

## **K. SIU Sampling Results**

SIU sampling results for 2021 have been enclosed as *Exhibit F*.

The City of Yakima sampled each SIU at least once during 2021 in accordance with 40 CFR 403.8(f)(2)(v) when self-monitoring was conducted by the SIU. If self-monitoring was not conducted by the SIU, the City of Yakima sampled the SIU at least once in accordance with § S6.A.g. of the City's NPDES Permit.



## **L. MIU Sampling Results**

The Pretreatment Program classifies 480 businesses as MIUs, 360 were inspected and/or sampled in 2021.

Results of MIU sampling for 2021 have been enclosed in *Exhibit G*.

## **M. Commercial and Residential Sampling Results**

The Pretreatment Program conducted sanitary sewer monitoring of commercial and residential users at key locations throughout the City. This information will be used in a future detailed local limit recalculation.

Results of Commercial and Residential Sampling for 2021 have been enclosed in *Exhibit I*.

## **N. Terrace Heights Sewer District Sampling Results**

The Pretreatment Program performs monthly sampling for BOD, TSS, pH, and FOG, and quarterly sampling for metals at the Terrace Heights Sewer District sampling port located at the Yakima WWTP. Terrace Heights was in compliance with 2021 monitoring.

Results of Terrace Heights Sewer District sampling have been enclosed in *Exhibit J*.

## **O. City of Union Gap Sampling Results**

The Pretreatment Program performs monthly sampling for BOD, TSS, pH, and FOG, and quarterly sampling for metals at Union Gap's master lift station, Pierce Avenue, Rainier Avenue and Valley Mall Boulevard. Union Gap was in compliance with 2021 monitoring.

Results of Union Gap sampling have been enclosed in *Exhibit K*.

## **P. Wastewater Sampling at the Treatment Plant**

Special Condition S4.B. of the City of Yakima's NPDES Permit, specifies that the City submit results of wastewater sampling as specified in Special Condition S6.B. at the treatment plant.

**Priority Pollutants** – Metals, phenols, cyanide, VOCs, Semi-VOCs and Pest/PCBs.

1. Influent
2. Effluent
3. Biosolids
4. Metals and organic priority pollutant removal rates

## Whole Effluent Toxicity (WET) Testing

### **Spring/Summer 2021**

The Spring/Summer Chronic WET test was initiated on June 8, 2021 using the test species *Pimephales promelas* (Fathead minnow). The City passed the Chronic WET test due to the fact that the highest concentration with no observed effect (NOEC) was 100 percent effluent for both survival and reproduction, indicating no statistically significant difference occurred between the control and the chronic critical effluent concentration (CCEC) of 9.88 percent sample.

### **Fall/Winter 2021**

Chronic WET testing was initiated on October 5, 2021 using the test species, *Ceriodaphnia dubia* (water flea). The highest concentration with no observed effect (NOEC) was 100 percent effluent for survival and reproduction. There is no statistically significant difference between the control and acute critical effluent concentration (ACEC) of 53.8 percent effluent or the chronic critical effluent concentration (CCEC) of 9.88 percent effluent.

Results of Wastewater Sampling at the Treatment Plant have been enclosed in **Exhibit L**.

## Q. Pass Through and Upsets

There was no pass-through at the City's Wastewater Treatment Plant during 2021 that was directly attributable to wastes from industrial users.

## R. Effluent Violations

There were no effluent violations in 2021 that were directly attributed to industrial users.

## S. Violations and Enforcement Actions

Upon these violations occurring, either warning letters, phone calls, emails, or follow-up sampling was done to address each violation. A written response or telephone call was required by each facility to indicate corrective actions to be taken to reach compliance with the City of Yakima's SEWER USE AND PRETREATMENT ORDINANCE.

<b>SIU Violations</b>						
<b>Business Name</b>	<b>Address</b>	<b>Violation</b>	<b>Result (mg/L)</b>	<b>Date of Violation</b>	<b>F/U Results (mg/L)</b>	<b>Enforcement</b>
Cintas	918 N. 5th Ave.	FOG Violations	150, 161, 169, 187	4/14, 4/17, 7/7, and 7/16	48, 34, 61, 35, 48, <15, <15	Violation Letters
Congdon Packing Co. LLC 64th Ave	1117 S. 64th Ave.	Zinc Exceedance	5	-	-	Violation Letter
Frosty Packing Co.	1225 N. 28th Ave.	Late DMR 1st & 4th Qtr	-	-	-	Warning Letters
International Paper Co.	600 W. Ahtanum Rd.	Late DMR 2nd Qtr	-	-	-	Warning Letter
Liberty Bottles	2900 Sutherland Dr.	Late DMR 2nd Qtr	-	-	-	Warning Letter
Michelsen Packaging Co.	922 N. 1st Ave.	pH Violations	5.32, 5.41, 5.4, 5.46, 5.37, 5.44,	5/1, 5/2, 5/8, 5/9, 5/13, 5/14, 5/15	-	Warning Letter
WestRock	2001 Longfibre Ave.	FOG Violation	470	4/6	91, 27, 15	Violation Letter

MIU VIOLATIONS								
BILLING NAME	ADDRESS	SAMPLE DATE	VIOLATION	LAB RESULT (mg/L)	ENFORCEMENT ACTION	RESPONSE RECEIVED	F/U DATE	F/U RESULT
Casino Caribbean	1901 Boggess Ln	1/5/2021	3rd FOG	581	AO + \$250 Fine	call 1/21/2021	3/18/2021	418
El Antojo/Burger Broiler	1227 S 1st St	1/6/2021	1st FOG	287	Warning Letter	No	3/18/2021	582
McDonalds Lincoln	1601 W Licoln Ave	1/11/2021	NA	152	Improvement	NA	-	-
McDonalds Summitview	5910 Summitview	1/19/2021	1st after AO	332	Warning Letter	email 2/11/2021	3/23/2021	288
McDonalds River Rd	3907 River Rd	1/19/2021	2nd AO	206	AO + \$500 Fine	email 2/11/2021	3/23/2021	100
Tacos El Rey	1218 6th St	1/21/2021	2nd FOG	283	Warning Letter		3/24/2021	30
La Morenita Bakery	132 s 2nd St	2/17/2021	1st FOG	178	Warning Letter	email 3/7/2021	4/13/2021	22
McDonalds S 1st	1305 S 1st St	2/17/2021	NA	150	Improvement	NA	-	-
Golden Wheel Restaurant	9 S 1st St	2/18/2021	1st FOG	200	Warning Letter		4/20/2021	43
Pizza Hut- Nob Hill	2002 W Nob Hill	2/23/2021	1st after AO	532	Warning Letter	email 3/15/2021	USP/MH33 4/27/21	392/168
Sonic Drive In	1327 S 1st St	2/23/2021	1st after AO	1884	Warning Letter		4/19/2021	2535
Burger King/1st St	2113 S 1st St	3/3/2021	1st FOG	175	Warning Letter		5/12/2021	135
Burger King/Yakima Ave	1605 E Yakima Ave	3/3/2021	1st FOG	679	Warning Letter		5/12/2021	194
Landmark Care Center	710 N 39th Ave	3/17/2021	1st FOG	220	Warning Letter	call 3/22/2021	5/20/2021	118
Casino Caribbean	1901 Boggess Ln	3/18/2021	Compliance Check	418	In AO		6/2/2021	162
El Antojo/Burger Broiler	1227 S 1st St	3/18/2021	2nd FOG	582	Warning Letter		5/19/2021	1001
Krispy Kreme	2329 S 1st St	3/22/2021	1st FOG	304	Warning Letter		5/19/2021	41
McDonalds Summitview	5910 Summitview	3/23/2021	NA	288	Working with Brent Reeves		5/19/2021	283
Popeyes	2406 W Nob Hill Blvd	4/1/2021	1st FOG	172	Warning Letter		6/2/2021	24
El Mirador	418 W Walnut	4/12/2021	1st FOG	162	Warning Letter		6/15/2021	128
Minado Buffet	501 N 1st St	4/12/2021	1st FOG	3165	Warning Letter		5/19/2021	32
Sonic Drive In	1327 S 1st St	4/19/2021	2nd AO	2535	AO + \$500 Fine	call 5/19/2021	MH44 4/27/2021	73
Yakima Steak Co	221 W Yakima Ave	4/28/2021	1st FOG	327	Warning Letter	call 5/11/2021	6/15/2021	<15
Waterfire Restaurant	4000 Creekside Loop	5/4/2021	1st FOG	1070	Warning Letter	call 5/11/2021	6/22/2021	26
Burger King/ Yakima Ave	1605 E Yakima Ave	5/12/2021	2nd FOG	194	working with Kevin Veronte	email 5/18/2021	7/22/2021	274
El Rancho Restaurant	1103 Rock Ave	5/18/2021	1st FOG	192	Warning Letter	call 5/24/2021	6/23/2021	87
Kyoto Steakhouse	2405 W Washington Ave	5/18/2021	1st FOG	214	Warning Letter		7/21/2021	78
El Antojo/Burger Broiler	1227 S 1st St	5/19/2021	1st AO	1001	AO + \$250 Fine		7/21/2021	725
McDonald's Summitview	5910 Summitview	5/19/2021		283			7/21/2021	193
Casino Caribbean	1901 Boggess Ln	6/2/2021	Compliance Check	162	In AO		7/6/2021	396
Powerhouse Grill	3807 River Rd	6/7/2021	1st FOG	183	Warning Letter	call 6/15/2021	7/15/2021	107
Quickie Mart	616 S 3rd St	6/15/2021	1st FOG	317	Warning Letter		8/19/2021	18
Papa Murphy's	6802 Tieton Dr	7/6/2021	1st FOG	158	Warning Letter		9/14/2021	42
McDonalds Summitview	5910 Summitview Ln	7/21/2021		193				
El Antojo/Burger Broiler	1227 S 1st St	7/21/2021	Compliance Check	725	In AO		9/28/2021	919
Burger King/ Yakima Ave	1605 E Yakima Ave	7/22/2021		274				
Mod Pizza	2550 W Nob Hill Blvd	7/22/2021	1st FOG	188	Warning Letter		9/28/2021	183
McDonald's Yakima Ave	19 W Yakima	7/27/2021	1st FOG	211	Warning Letter		9/28/2021	135
KFC/A&W	2325 S 1st St	8/18/2021	1st FOG	301	Warning Letter	call 9/1/2021	44490	206
Taco Bell	2124 S 1st St	9/13/2021	1st FOG	172	Warning Letter		44510	47
Central WA Comp Health	505 S 4th Ave	9/15/2021	1st FOG	219	Warning Letter	email 9/27/2021	44510	36
El Antojo/Burger Broiler	1227 S 1st St	9/28/2021	Compliance Check	919	In AO	Call 12/8/2021	44538	586
Panda Express	1915 S 1st St	10/4/2021	1st FOG	462	Warning Letter		44544	122
Safeway Mead	905 E Mead Ave	10/4/2021	1st FOG	156	Warning Letter		44538	33
Mod Pizza	2550 W Nob Hill Blvd	9/28/2021	2nd FOG	183	Warning Letter		44545	20
KFC/A&W	2325 S 1st St	10/21/2021	2nd FOG	206	Warning Letter		44552	173
Habit Burger	2400 W Nob Hill Blvd	11/22/2021	1st FOG	203	Warning Letter	Call 12/2/2021		
Blossoms Early Learning Center	1604 E Race St	12/8/2021	1st FOG	169	Warning Letter	Call 12/21/2021	GRS cleaned 12/7/2021	Resolved
KFC/A&W	2325 S 1st St	12/22/2021	3rd FOG	173				

## T. Compliance Schedules

In accordance with § S6(4)(c)(5) of the City of Yakima's NPDES Permit, the following industrial users were put on compliance schedules.

**Casino Caribbean: 1901 Boggess Ln.**

1. **Within 30 days**, provide an action plan to the City outlining installation and operation of additional pretreatment technology to treat Casino Caribbean's wastewater to a level that complies with the City's wastewater discharge limits, including the limits for FOG concentrations **or** provide an action plan that outlines the implementation of Best Management Practices (BMPs) to provide wastewater that complies with the City's wastewater limits, including the limits for FOG concentrations.
2. **Within 180 days**, complete installation and begin operation of additional pretreatment technology to treat Casino Caribbean's wastewater to a level that complies with the City's wastewater discharge limits, including the limits for FOG concentrations **or** implement BMPs to provide wastewater that complies with the City's wastewater limits, including the limits for FOG concentrations. One BMP is to increase the frequency of grease trap cleaning.
3. **Pay an administrative penalty of \$250.00** for the January 5, 2021 violation described above. The administrative penalty shall be issued by the City Finance Department in accordance with YMC § 7.65.240 and shall be paid by the invoice due date.
4. **Pay a FOG strong waste surcharge** for discharging FOG at a concentration of 581 mg/L. The FOG strong waste surcharge is in accordance with YMC § 7.60.020 B., and will be included in your next wastewater bill. This charge shall remain until which time Casino Caribbean resolves this issue to the satisfaction of the City.
5. **Provide a written report to the City, by the last day of each month** for the next six (6) months, describing Casino Caribbean's progress in the installation and operation of additional pretreatment technology **or** Casino Caribbean's progress in implementing BMPs that will comply with the City's wastewater limits. Include any documentation of cleaning activities.

**McDonald's: 3907 River Rd.**

1. **Within 30 days**, provide an action plan to the City outlining installation and operation of additional pretreatment technology to treat McDonald's wastewater to a level that complies with the City's wastewater discharge limits, including the limits for FOG concentrations **or** provide an action plan that outlines the implementation of Best Management Practices (BMPs) to provide wastewater that complies with the City's wastewater limits, including the limits for FOG concentrations.
2. **Within 180 days**, complete installation and begin operation of additional pretreatment technology to treat McDonald's wastewater to a level that complies with the City's wastewater discharge limits, including the limits for FOG concentrations **or** implement BMPs to provide wastewater that complies with the City's wastewater limits, including the limits for FOG concentrations. One BMP is to increase the frequency of grease trap cleaning.

3. **Pay an administrative penalty of \$500.00** for the January 19, 2021 violation described above. The administrative penalty shall be issued by the City Finance Department in accordance with YMC § 7.65.240 and shall be paid by the invoice due date.
4. **Pay a FOG strong waste surcharge** for discharging FOG at a concentration of 206 mg/L. The FOG strong waste surcharge is in accordance with YMC § 7.60.020 B., and will be included in your next wastewater bill. This charge shall remain until which time McDonald's resolves this issue to the satisfaction of the City.
5. **Provide a written report to the City, by the last day of each month** for the next six (6) months, describing McDonald's progress in the installation and operation of additional pretreatment technology **or** McDonald's progress in implementing BMPs that will comply with the City's wastewater limits.

**Sonic Drive In: 1327 S. 1<sup>st</sup> St.**

1. **Within 30 days**, provide an action plan to the City outlining installation and operation of additional pretreatment technology to treat Sonic Drive In's wastewater to a level that complies with the City's wastewater discharge limits, including the limits for FOG concentrations **or** provide an action plan that outlines the implementation of Best Management Practices (BMPs) to provide wastewater that complies with the City's wastewater limits, including the limits for FOG concentrations.
2. **Within 180 days**, complete installation and begin operation of additional pretreatment technology to treat Sonic Drive In's wastewater to a level that complies with the City's wastewater discharge limits, including the limits for FOG concentrations **or** implement BMPs to provide wastewater that complies with the City's wastewater limits, including the limits for FOG concentrations. One BMP is to increase the frequency of grease trap cleaning.
3. **Pay an administrative penalty of \$500.00** for the April 19, 2021 violation described above. The administrative penalty shall be issued by the City Finance Department in accordance with YMC § 7.65.240 and shall be paid by the invoice due date.
4. **Pay a FOG strong waste surcharge** for discharging FOG at a concentration of 2535 mg/L. The FOG strong waste surcharge is in accordance with YMC § 7.60.020 B., and will be included in your next wastewater bill. This charge shall remain until which time Sonic Drive In resolves this issue to the satisfaction of the City.
5. **Provide a written report to the City, by the last day of each month** for the next six (6) months, describing Sonic Drive In's progress in the installation and operation of additional pretreatment technology **or** Sonic Drive In's progress in implementing BMPs that will comply with the City's wastewater limits.

**El Antojo: 1227 S. 1<sup>st</sup> St.**

1. **Within 30 days**, provide an action plan to the City outlining installation and operation of additional pretreatment technology to treat El Antojo/Burger Broiler's wastewater to a level that complies with the City's wastewater discharge limits, including the limits



for FOG concentrations **or** provide an action plan that outlines the implementation of Best Management Practices (BMPs) to provide wastewater that complies with the City's wastewater limits, including the limits for FOG concentrations.

2. **Within 180 days**, complete installation and begin operation of additional pretreatment technology to treat El Antojito/Burger Broiler's wastewater to a level that complies with the City's wastewater discharge limits, including the limits for FOG concentrations **or** implement BMPs to provide wastewater that complies with the City's wastewater limits, including the limits for FOG concentrations. One BMP is to increase the frequency of grease trap cleaning.
3. **Pay an administrative penalty of \$250.00** for the May 19, 2021 violation described above. The administrative penalty shall be issued by the City Finance Department in accordance with YMC § 7.65.240 and shall be paid by the invoice due date.
4. **Pay a FOG strong waste surcharge** for discharging FOG at a concentration of 1001 mg/L. The FOG strong waste surcharge is in accordance with YMC § 7.60.020 B., and will be included in your next wastewater bill. This charge shall remain until which time El Antojito/Burger Broiler resolves this issue to the satisfaction of the City.
5. **Provide a written report to the City, by the last day of each month** for the next six (6) months, describing El Antojito/Burger Broiler's progress in the installation and operation of additional pretreatment technology **or** El Antojito/Burger Broiler's progress in implementing BMPs that will comply with the City's wastewater limits.

## **U. Public Notice of Industrial Users in Significant Noncompliance**

The City of Yakima Wastewater Division enforces Federal, State, and local limits on process wastewater discharges to the Publicly Owned Treatment Works (POTW) through the use of a fully delegated Pretreatment Program, the more stringent being defined as Pretreatment Standards under Section 307 (d) of the Clean Water Act.

In accordance with 40 CFR Part 25 and 40 CFR 403.8 (f) (2) (vii), the Pretreatment Program is hereby providing public notice of all industrial users which have demonstrated Significant Noncompliance with the Pretreatment Standards, and thus with the City of Yakima's Sewer Use and Pretreatment Ordinance within the previous twelve (12) months:

A list of the industrial users that were in significant noncompliance in 2021 have been enclosed in **Exhibit H**.

## **V. The City of Union Gap / Terrace Heights Sewer District / City of Moxee Annual Pretreatment Reports**

In accordance with the Special Agreements between the City of Yakima, the City of Union Gap, Terrace Heights Sewer District and the City of Moxee, the City of Union Gap, Terrace

Heights Sewer District and the City of Moxee are responsible for the submittal of an annual Pretreatment report to the City of Yakima and to the Department of Ecology by February 10<sup>th</sup> of each year.

The City of Union Gap, Terrace Heights Sewer District and the City of Moxee Pretreatment Reports have been enclosed as **Exhibit M**.

## **W. 2021 - Planned Changes in the Pretreatment Program**

A "3-Party Wholesale Service Agreement" for wholesale wastewater treatment and disposal between the City of Yakima, Union Gap and the Terrace Heights Sewer District was approved in November of 2014. The Department of Ecology (Ecology) was acting as the Control Authority over the jurisdictions of Terrace Heights Sewer District/City of Moxee and the City of Union Gap. Ecology issued administrative order #16086 to The City of Yakima on November 19, 2018. This order established the due date of June 1, 2019 for the City's submittal of an application for pretreatment authority in Union Gap and Terrace Heights/ Moxee. On October 15, 2019 the Department of Ecology granted approval and delegated the City of Yakima the authority to write and issue wastewater discharge permits for these extra-jurisdictions. The City of Yakima will continue to issue permits for these extra-jurisdictional industries.

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

Michael Abine      3/21/22      Wastewater Division MGR.  
Signature                      Date                      Title