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December 27, 2016

Via Federal Express

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Re: United States of America and State of Arkansas v. City of Fort Smith, Arkansas,
United States District Court, Western District of Arkansas – Case No. 2:14-cv-2266-PKH

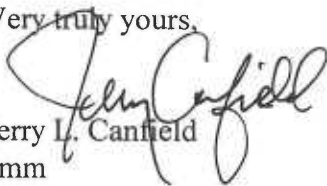
Greetings:

Regarding the Fats, Oils, and Grease (FOG) Control Program component of CMOM (paragraphs 37 and 38 of the Consent Decree), the City of Fort Smith hereby submits its Fats, Oils, and Grease (FOG) Control Program Plan for EPA review and approval. As a deliverable under

paragraph 89 of the Consent Decree, the Plan is also submitted to ADEQ. The submission is made in hard copy as well as in electronic and searchable text format.

Thank you for your attention to this matter.

Very truly yours,


Jerry L. Canfield
cmm

Enclosures

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**CAPACITY, MANAGEMENT, OPERATIONS,
AND MAINTENANCE (CMOM) PROGRAM
AND IMPLEMENTATION PLAN**

**FATS, OILS, AND GREASE (FOG)
CONTROL PROGRAM PLAN**

December 2016

CITY OF FORT SMITH, ARKANSAS

Development of a Capacity, Management, Operation, and Maintenance Program (CMOM) and Assessment and Remediation Plan for Effluent Limit Exceedances

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information 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.



Robert Roddy, Interim Director of Utilities
City of Fort Smith, AR
Utility Department

12/14/16

Date

Fats, Oils, and Grease (FOG) Control Program Plan

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List of Acronyms

ADEQ	Arkansas Department of Environmental Quality
CCA	Continuing Capacity Assurance
CCTV	Closed Circuit Television
CMOM	Capacity, Management, Operations, & Maintenance
CSSA	Continuing Sewer System Assessment
CTP	Comprehensive Training Plan
CWA	Clean Water Act
DMR	Discharge Monitoring Report
EPA	U.S. Environmental Protection Agency
FOG	Fats, Oil and Grease
GIS	Geographic Information System
I&I	Infiltration and Inflow
IMS	Information Management System
MACP	NASSCO's Manhole Assessment and Certification Program
MGD or mgd	Million Gallons per Day
NASSCO	National Association of Sewer Service Companies
NPDES	National Pollutant Discharge Elimination System
OERP	Overflow Emergency Response Plan
PACP	NASSCO's Pipe Assessment and Certification Program
SOP	Standard Operation Procedure
SSA	Sewer System Assessment
SSO	Sanitary Sewer Overflow
U.S.	United States
WCTS	Wastewater Collection and Transmission System
WWTP	Wastewater Treatment Plant

Definitions

Unless otherwise defined herein, or expressly stated in the City of Fort Smith Ordinance No. 89-16 ("FOG Ordinance"), terms used in in the plans comprising the CMOM Program and Implementation Plan shall have the meanings given to those terms in the CWA and the EPA Consent Decree lodged for City of Fort Smith, Arkansas. The terms and acronyms are defined as follows:

ADEQ shall mean the Arkansas Department of Environmental Quality, and any successor departments or agencies of the State of Arkansas.

Annual Report shall mean the report to be submitted annually pursuant to Section X of the Consent Decree.

Article shall mean a portion of Section V ("Comprehensive Remedial Requirements" Section) of the Consent Decree.

Basin shall mean a section of a Sewershed that is a distinct wastewater collection area, and designated by Fort Smith as such.

Building/Private Property Backup shall mean a wastewater backup into a building and/or a wastewater overflow onto private property that is caused by blockages, flow conditions or other malfunctions in the WCTS. "Building/Private Property Backup" does not include a wastewater backup into a building and/or a wastewater overflow onto private property that is caused solely by a blockage or other malfunction of a Private Service Lateral or other piping or conveyance system that Fort Smith does not own or operate.

Calendar Year shall mean the twelve (12) month period starting on January 1 and ending on December 31 of a given year.

Capacity Constraint shall mean those discrete components, or groups of components of the WCTS that are determined by the City, consistent with Section V, Article Four ("Capacity Assessment and Hydraulic Modeling") of the Consent Decree to have capacity deficiency issues that have caused or significantly contributed to previous capacity-related SSOs; that are likely to cause or significantly contribute to future capacity-related SSOs; and/or that are identified as overflow locations for any storm event presented in Section V, Article Four, Paragraph 30.

City or Fort Smith shall mean the City of Fort Smith, Arkansas.

Clean Water Act or CWA shall mean the Federal Clean Water Act found at 33 U.S.C. §§ 1251- 1387.

CMOM or Capacity, Management, Operations, and Maintenance shall mean a program of accepted industry practices to properly manage, operate and maintain sanitary sewer collection, transmission and treatment systems, investigate capacity constrained areas of these systems, and respond to SSO events, including as identified by the Guide for Evaluating Capacity, Management, Operation, and Maintenance (CMOM) Programs (EPA, Jan. 2005).

Consent Decree or Decree shall mean the Decree (and all Appendices) lodged by the U.S. EPA against the City of Fort Smith.

Consultant shall mean a professional engineer licensed in the State of Arkansas or other recognized professional within a field of practice, with appropriate qualifications, experience and adequate staff and resources necessary to undertake any program plan, study, analysis, design or report required by the terms of the Consent Decree.

Contractor shall mean a person or entity who in pursuit of its business undertakes to perform a job or piece of work, retaining in himself control of means, method and manner of accomplishing the desired result.

Control Authority shall mean the City Administrator or his or her designated agent.

Critical Response Time shall mean the time interval between activation of the high wet well level alarm at a Pump Station and the first SSO from the WCTS tributary to that Pump Station under peak dry-weather flow conditions or under peak wet-weather flow conditions (generated by the analysis rainfalls presented in Section V, Article Four ("Capacity Assessment and Hydraulic Modeling") of the Consent Decree), whichever weather conditions prevail at the time of the SSO.

Cross-Connection shall mean any constructed connection, whether by pipe or any other means, between any part of the WCTS and any part of a storm water drainage system that is capable of conveying flow between the two systems.

Date of Lodging shall mean the date the United States filed a copy of the Consent Decree signed by all Parties with the District Court, along with the Complaint, prior to submitting the Consent Decree for publication in the Federal Register to provide an opportunity for public review and comment thereon. The Date of Lodging for the City's Consent Decree is January 02, 2015 (1/2/2015).

Day or Days shall mean a calendar day or calendar days unless expressly stated to be a business day or business days. In computing any period of time under the Consent Decree, where the last Day would fall on a Saturday, Sunday, or a Federal or State holiday, the period shall run until the close of the next business day. **Deliverable** shall mean any written document required to be prepared and/or submitted by or on behalf of Fort Smith pursuant to the Consent Decree.

Direct Discharge shall mean a sewer pipe installed to convey wastewater from a sanitary sewer for release into the environment.

Environmental Protection Agency or EPA shall mean the United States Environmental Protection Agency and any successor departments or agencies of the United States.

Equalization Facilities or EQ Facilities shall mean those components of the WCTS designated, designed or intended for the temporary storage of wet-weather wastewater flows.

Fats, Oil and Grease or FOG shall mean fats, oil and grease, whether petroleum-based, mineral-oil-based, animal-based or vegetable-based.

FOG Control Device shall mean any grease interceptor, grease trap, or other mechanism, device, or process that attaches to or is applied to wastewater plumbing fixtures and/or Private Service Lines to collect, contain, or remove FOG from the wastewater stream of a FOG Generator prior to discharge into the WCTS.

FOG Control Program Plan or **Fats, Oil and Grease Control Program Plan** shall mean Fort Smith's program to control discharge of FOG into the WCTS as developed and approved under **Section V, Article Seven, Paragraph 37** of the Consent Decree.

FOG Generator shall mean any food service establishment or food-processing establishment that discharges FOG into the WCTS, provided, however, that those establishments covered by the City's industrial user program shall not be considered a FOG Generator for the purposes of the Consent Decree.

Force Main shall mean any pipe that receives and conveys, under pressure, wastewater from the discharge side of a pump. A Force Main is intended to convey wastewater under pressure.

Gravity Sewer Line shall mean a pipe that receives, contains and conveys wastewater not normally under pressure, but intended to flow unassisted under the influence of gravity.

Small-Diameter Gravity Sewer Lines shall mean Gravity Sewer Lines that are less than twenty-four (24) inches in diameter.

Large-Diameter Gravity Sewer Lines shall mean Gravity Sewer Lines that are twenty-four (24) inches or greater in diameter.

Infiltration as defined by 40 C.F.R. § 35.2005(b)(20) shall mean water other than wastewater that enters a WCTS (including sewer service connections and foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes.

Inflow as defined by 40 C.F.R. § 35.2005(b) (21) shall mean water other than wastewater that enters a WCTS (including sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm water, surface runoff, street wash waters, or drainage.

Infiltration and Inflow or **I&I** shall mean the total quantity of water from Infiltration and Inflow without distinguishing the source.

Interest shall mean interest accruing on a sum calculated in the manner provided by 28 U.S.C. § 1961.

Manhole Assessment and Certification Program or **MACP** shall mean the **National Association of Sewer Service Companies (NASSCO)** Manhole Assessment and Certification Program.

Massard Permit shall mean NPDES Permit Number AR0021750 issued to City pursuant to Section 402 of the Clean Water Act, 33 U.S. § 1342, and the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-10, et seq., for the Massard POTW and any future extended, modified or reissued permit.

Massard WWTP shall mean the publicly owned treatment works that is owned and operated by the City and that is located in Fort Smith with an address of **1609 North 9th Terrace, Barling, Arkansas**.

Month shall mean one calendar month running from a numbered day to the same numbered day of the following calendar month, regardless of whether the particular month has 28, 29, 30, or 31 days. If a triggering event would occur on a day of the month that does not exist (for example, February 30), then the event shall be due on the first day of the following month (for example, March 1).

NASSCO shall mean the National Association of Sewer Service Companies.

P Street Permit shall mean NPDES Permit Number AR0033278 issued to City pursuant to Section 402 of the Clean Water Act, 33 U.S.C. § 1342, and the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-10, et seq., for the P Street POTW and any future, extended, modified or reissued permit.

P Street WWTP shall mean the publicly owned treatment works that is owned and operated by City and that is located at **13 North P Street in Fort Smith, Arkansas**.

Pipe Assessment and Certification Program or **PACP** shall mean the NASSCO Pipe Assessment and Certification Program.

Pipe Segment shall mean the portion of a Gravity Sewer Line extending from manhole to manhole.

Private Service Line shall mean a sewer line which is not owned or operated by City, but which conveys wastewater from a building to a main line of the WCTS.

Private Service Line Release shall mean any spill, release, or diversion of sewage from a Private Service Line to any location other than the WCTS caused solely by a blockage or other malfunction in that Service Line, even if the release does not reach Waters of the State or waters of the United States.

Pump Station or **Pumping Station** shall mean facilities owned or operated by Fort Smith that contain pumps that lift wastewater from a lower to a higher hydraulic elevation, including all related electrical, mechanical, and structural systems necessary to the operation of that Pump Station within the WCTS.

Recurring Private Service Line Release shall mean a Private Service Line Release that has occurred within three (3) years of a prior Private Service Line Release at the same location.

Recurring SSO, Recurring Dry-Weather SSO, and Recurring Wet-Weather SSO. A "Recurring SSO" shall mean any SSO that has occurred within three (3) years of a prior SSO that occurred at the same location under any weather conditions (wet or dry). A "Recurring Dry-Weather SSO" shall mean an SSO that has occurred during dry weather within three (3) Years of a prior SSO at the same location that also occurred during dry weather. A "Recurring Wet-Weather SSO" shall mean an SSO that has occurred during wet weather within three (3) Years of a prior SSO at the same location that also occurred during wet weather.

Remedial Measures shall mean spot repairs, trenchless sewer rehabilitation, sewer replacement, repair or reconstruction, and any other appropriate WCTS improvement technique for resolving condition deficiencies and/or capacity deficiencies in a particular system asset or group of assets within the WCTS, in accordance with Appendix D of the Consent Decree ("Remedial Determination Process"), that have caused or significantly contributed to previous SSOs, and/or, that are likely to cause or significantly contribute to future occurrence of SSOs.

Sanitary Sewer Overflow or **SSO** shall mean any spill, release, or diversion of sewage from the WCTS, including: (1) an overflow that results in a discharge to Waters of the State or waters of the United States, and (2) an overflow of wastewater, including a wastewater backup into a building or wastewater overflow onto private property, such as a Building/Private Property Backup (other than a backup caused solely by a blockage or other malfunction in a privately owned sewer or building

lateral (i.e. a "Private Service Line")), even if that overflow does not reach Waters of the State or waters of the United States.

Sewershed shall mean a section of City's WCTS that is a distinct drainage or wastewater collection area and designated as such by City for the P Street WWTP and the Massard WWTP.

State of Arkansas or **State** shall mean the State of Arkansas acting on behalf of ADEQ.

Sub-basin shall mean a section of a Basin that is a distinct wastewater collection area and designated by Fort Smith as such.

Tabulation shall mean a document in a format containing text searchable cells or fields that is also sortable by data category.

United States or **U.S.** shall mean the United States of America, acting on behalf of EPA.

Wastewater Treatment Plant or WWTP shall mean the Massard or P Street wastewater treatment plants and components thereof.

Wastewater Collection and Transmission System or WCTS shall mean the sanitary sewer collection, retention and transmission systems for both the Massard WWTP Sewershed and the P Street WWTP Sewershed, including all pipes, Force Mains, Gravity Sewer Lines, Pump Stations, EQ Basins, manholes and appurtenances thereto, that are owned or operated by City at any time from the Date of Lodging of the Consent Decree until its termination under Section XXIV.

Waters of the State shall mean all streams, lakes, marshes, ponds, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies of accumulations of water, surface and underground, natural and artificial, public or private, which are contained within, flow through, or border upon the State of Arkansas, or any portion of the State of Arkansas, as defined in Ark. Code Ann. §84-102(10).

Year shall mean a twelve month period regardless of the beginning date. In the event a triggered event shall be due on a year ending date that does not exist (for example, February 29 in some years), then the event shall be due on the first day of the following month (for example, March 1).

Capacity, Management, Operation, and Maintenance (CMOM) Program Summary and Intent

On January 2, 2015, the City of Fort Smith, Arkansas (City) entered into a Consent Decree with the United States Environmental Protection Agency (EPA) and the State of Arkansas to address deficiencies within the City's wastewater collection and transmission system (WCTS). Per Section V, Article Seven of the Consent Decree, the City will prepare an effective WCTS Capacity, Management, Operation, and Maintenance Program ("CMOM Program") consistent with EPA's 2005 Guidance entitled "Guide for Evaluating Capacity, Management Operation and Maintenance Programs at Sanitary Sewer Collection Systems." All components of the CMOM Program, as set forth in Paragraphs 37-56, shall be submitted in report form to EPA for review and approval at a date no later than twenty-four (24) months from the Date of Lodging, with shorter submission dates for certain components. The Date of Lodging for the Consent Decree has been established as January 2, 2015.

The aggregate CMOM Program is comprised of thirteen (13) separate components that were developed to address deficiencies within specific elements of the City of Fort Smith's WCTS. Upon approval by EPA, each of the respective CMOM components is intended to be used by the City of Fort Smith as guidelines for the implementation of a defined set of procedures to satisfy the requirements of the Consent Decree and promote compliance with the Clean Water Act (CWA).

Section 1

Consent Decree Requirements for the Fats, Oils, and Grease (FOG) Control Program Plan

The Fats, Oils, and Grease (FOG) Control Program described herein has been prepared to satisfy the requirements set forth in Article Seven, Paragraphs 37 and 38 of the Consent Decree and must be submitted to EPA for review no later than twenty-four (24) months from the Date of Lodging of the Consent Decree (i.e., by December 31, 2016). Following EPA’s approval, the City will fully implement all elements of the FOG Control Program Plan. **Table 1-1** provides a list of the Consent Decree requirements for the FOG Control Program and the sections of this document that address each requirement.

Table 1-1 Summary of Consent Decree Requirements for the FOG Control Program

Consent Decree Paragraph	Consent Decree Requirement	FOG Control Program Plan Section
37.a	Legal Authority – A demonstration that the City possesses adequate legal authority, through ordinances or otherwise, to control the discharge of FOG into the WCTS from all FOG Generators, including the authority to implement a permit and enforcement program for these sources.	3.1
37.b	FOG Generator List – The City shall develop a list of current FOG Generators, including a description of their FOG –generating processes and estimated average daily discharge by weight/volume or allowable discharge concentration at the City’s option; and annual updating of this list.	3.2
37.c	FOG Control Device Installation Standards – The City shall develop standards for the sizing and installation of FOG Control Devices.	3.3
37.d	FOG Control Device Management, Operations, and Maintenance Standards – The City shall develop FOG Control Device management, operations and maintenance standards (best management practices) that address FOG Control Device operation, onsite recordkeeping requirements, cleaning frequency, cleaning standards, use of additives, and ultimate disposal of captured FOG materials in accordance with applicable State law, if any.	3.3
37.e	FOG Control Device installation inspection protocols – The City shall develop FOG Control Device installation inspection protocols, including scheduling, inspection report forms, and inspection record keeping requirements.	3.3
37.f	FOG Control Device sampling and Inspection Program – The City shall develop a program requiring periodic unannounced sampling and inspections of all FOG Control Devices in operation. In conducting unannounced inspections of FOG Control Devices located inside buildings, the City may schedule such inspections so as to avoid unreasonable disruption to business operations. The Program shall include tiered sampling/inspection frequencies based upon FOG generation rates, FOG Control Device cleaning schedules, and history of FOG violations; however, sampling and inspection of each FOG Control Device shall be performed not less often than once every two (2) years. This program shall also include FOG compliance inspection protocols, including scheduling, inspection report forms, and inspection record-keeping requirements that encourage FOG Generators to manage, operate and maintain FOG Control Devices in accordance with nationally-recognized best management practices for limiting the adverse impacts of FOG discharges on wastewater collection and treatment facilities.	3.4

Consent Decree Paragraph	Consent Decree Requirement	FOG Control Program Plan Section
37.g	FOG Generator Records – The City shall require that the FOG Generators keep records regarding transportation, storage and ultimate disposal of collected FOG materials.	3.3
37.h	Compliance Enforcement Program – The City shall develop an enforcement program, including specific and tiered enforcement mechanisms, directed at achieving FOG Generators’ compliance with the FOG Control Program.	3.4
37.i	Compliance Assistance Program – The City shall develop a compliance assistance program to facilitate training of FOG Generators in the proper operation of FOG Control Devices, use of the FOG disposal records system required under Subparagraph 37.g, and other activities required under the City’s FOG Control Program.	3.5
37.j	<p>Public Education Program – The City shall develop a public education program directed at reducing the amount of FOG entering the WCTS from FOG Generators and residences, including single-family homes, multi-family homes, and apartments, consisting at a minimum of the following elements:</p> <ul style="list-style-type: none"> ▪ Distributing informational FOG door hangers to residents living immediately upstream of each grease sanitary sewer overflow (SSO) after such an event; ▪ Annually preparing and distributing FOG information or inserts with sewer bills so that it is visible to the reader; ▪ Preparing and maintaining a FOG education information page(s) on its website; and ▪ Evaluating and implementing the most appropriate methods of educating high density residential dwelling (i.e. apartment buildings and condominium and townhome complexes) occupants of the impacts of FOG on the sewer system. 	3.6
37.k	FOG Control Program Staffing –The City shall provide staffing (technical, legal and administrative) and equipment for effective implementation and ongoing operation of the FOG Control Program.	3.1
37.l	Industrial User Monitoring – The City shall demonstrate that industrial users that generate FOG are adequately monitored and inspected to ensure that these industrial users comply with their pre-treatment permits.	3.1
37.m	FOG Generator and Industrial User List Maintenance – Coordination by the City to ensure that all FOG Generators, and all establishments covered by the industrial user program, are monitored.	3.2
37.n	Performance Indicators – The City shall develop a list of performance indicators that will be used by the City to measure the effectiveness of the FOG Control Program.	4.2
38	FOG Program Reporting – The City shall report the FOG Control Program activities performed in each Calendar Year in the Annual Report for that Calendar Year as described under Section X (“Reporting”) of the Consent Decree.	4.2

Section 2

Purpose and Goals of the Fats, Oils, and Grease (FOG) Control Program

The FOG Control Program is a component of the City's comprehensive CMOM Program and is intended to control the discharge of fats, oils, and grease (FOG) into the WCTS by way of guidance, policies, and regulations governing FOG Generators, FOG haulers, and the public. The purpose of the FOG Control Program is to reduce the occurrence of blockages and sanitary sewer overflows (SSOs) due to FOG and to support compliance, in concert with other CMOM Program components, with the Consent Decree, the CWA, and the City's National Pollutant Discharge Elimination System (NPDES) permits.

The goals of the FOG Control Program are to:

- Provide for consistent FOG Ordinance enforcement;
- Develop and enforce FOG Control Device design and installation standards for FOG Generators;
- Establish FOG Control Device management, operations, and maintenance standards for FOG Generators;
- Perform periodic sampling and inspections of FOG Control Devices to confirm compliance with the FOG Ordinance;
- Develop a compliance enforcement program;
- Educate WCTS users, including FOG Generators and other customers, about FOG control; and
- Maintain necessary resources and proper training to enable FOG Program success.

Specific elements of the FOG Control Program necessary to meet the goals as outlined in the Consent Decree are detailed in **Section 3** of this plan.

Section 3

Elements of the Fats, Oils, and Grease (FOG) Control Program

The intent of the FOG Control Program is to improve the operations and maintenance of the WCTS in an effort to reduce the occurrence of SSOs due to preventable blockages resulting from accumulation of FOG. The FOG Control Program is a specific component within the CMOM Program required by the Consent Decree and is primarily proactive in approach. The FOG Control Program is composed of the following central elements as described in the following sections:

- Legal Authority and Staffing;
- Tracking of FOG Generators;
- FOG Control Devices;
- Compliance Enforcement;
- Compliance Assistance; and
- Public Education.

In addition to these central elements, training, reporting, performance indicators, and record-keeping are all critical to implementing an effective FOG Control Program.

3.1 Legal Authority and Staffing

The first elements necessary for successful implementation of a FOG Control Program are legal authority and program staffing; each of which are discussed in the following subsections.

3.1.1 FOG Ordinance

The City's FOG Ordinance affords the City the legal authority to develop, operate, and maintain a FOG Control Program, including the following governing practices:

- Identify and track FOG Generators;
- Require the proper sizing and installation of FOG Control Devices by FOG Generators;
- Issue permits to the FOG Generators;
- Require proper maintenance of FOG Control Devices and adherence to best management practices by FOG Generators;
- Require proper record keeping by FOG Generators;
- Sample and inspect the FOG handling practices used by FOG Generators; and

- Enforce compliance of the ordinance through penalties and fines, up to and including, termination of service.

As required by the FOG Ordinance, facilities generating fats, oils, or grease as a result of food manufacturing, processing, preparation, or food service shall be required to obtain a FOG Wastewater Discharge Permit and install, use, and maintain appropriate FOG Control Devices. These facilities may include, but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels and motels, prisons, nursing homes, churches, school cafeterias, and any other facility preparing, serving, or otherwise making any foodstuff available for consumption. No new FOG Generator shall discharge wastewater into the WCTS without first obtaining a FOG Wastewater Discharge Permit. Existing FOG Generators will be required to obtain a FOG Wastewater Discharge Permit as specified in the FOG Ordinance.

The City's Pretreatment Program is described in the Sanitary Sewer System Pretreatment Regulation and Permits Ordinance Codified in Division 2, Article VI of Chapter 25 of the Fort Smith Municipal Code. Industrial users maintaining a Wastewater Contribution Permit under the City's Pretreatment Program are exempt from the FOG Ordinance permit process, as they are required to monitor for FOG under their permit. The City's Pretreatment Program demonstrates that industrial users that generate FOG are adequately monitored and inspected to ensure that these industrial users comply with their pretreatment permits.

3.1.2 Staffing

The FOG Control Program will be supported by adequate technical, legal, and administrative staff to fully implement the program. Regarding equipment to facilitate an effective FOG Control Program, a specific FOG data tracking system software will be implemented to store, maintain, and report on the FOG-related data as required by the Consent Decree. The system software is further detailed in the Information Management System Plan, and is also referenced in Section 4.1 of this Plan.

3.2 Tracking of FOG Generators

Identifying FOG Generators and maintaining accurate records of their FOG control practices is critical to successful management of the FOG Control Program. The City will maintain a list of FOG Generators, including descriptions of their FOG-generating processes and the allowable discharge concentration. The City will regularly evaluate the FOG Generators through surveys, field inspections, and review of records. Based on these evaluations, the FOG Generator list will be updated, at least annually, to maintain an accurate FOG Generator inventory for the City's use.

Although industrial users maintaining a Wastewater Contribution Permit under the City's Pretreatment Program are exempt from the FOG Ordinance permit process, coordination between the Pretreatment Program and the FOG Control Program confirms that each FOG Generator and industrial user is monitored, as appropriate.

3.3 FOG Control Devices

Installation and maintenance of FOG Control Devices are crucial in preventing FOG from entering the WCTS from FOG Generators. The City's FOG Ordinance requires that FOG Generators install, operate, and maintain an appropriately designed and adequately sized FOG Control Device.

3.3.1 Sizing and Installation

Standards for sizing and other requirements for the design and installation of the FOG Control Devices are referenced in the FOG Ordinance.

For new FOG Generators, FOG Control Devices will be installed, inspected, and permitted prior to the issuance of a certificate of occupancy. Existing FOG Generators that do not currently have FOG Control Devices or whose operations have changed as described in the ordinance must have an appropriately designed device installed, inspected, and permitted within the timeframes established in the FOG Control Program.

The City will develop FOG Control Device installation inspection protocols, including scheduling, inspection report forms, and inspection record keeping requirements as part of this Program.

3.3.2 Device Management, Operations, and Maintenance

Through the FOG Ordinance and supplementary information, the City will develop FOG Control Device management, operations, and maintenance standards that address FOG Control Device operation, onsite recordkeeping requirements, cleaning frequency, cleaning standards, use of additives, and ultimate disposal of captured FOG materials in accordance with applicable State laws.

Under the FOG Ordinance, the FOG Generator is responsible for the proper removal and disposal of the FOG Control Device waste by a FOG Hauler. FOG Generators and Haulers are required to keep records regarding the relevant transportation, storage, and disposal of collected FOG material. Waste removed from each FOG Control Device is required to be disposed of at an appropriate disposal facility designed to receive such waste. FOG shall not be disposed of in the WCTS or either of the City's wastewater treatment plants.

3.3.3 Records Requirements for FOG Generators

As described in the FOG Ordinance, FOG Generators are required to maintain records associated with the operation and maintenance of FOG Control Devices. These include, but are not limited to, records of visual inspections, sampling and sludge height monitoring, and cleaning activities. The FOG Generator is also required to retain copies of manifests of the transportation and disposal of FOG Control Device contents by FOG Haulers.

3.4 Compliance Enforcement

As part of the FOG Control Program, periodic, unannounced sampling and inspections of all FOG Control Devices in operation will be conducted by the City. In conducting unannounced inspections of FOG Control Devices located inside buildings, the City may schedule such inspections so as to avoid unreasonable disruption to business operations.

FOG Generators shall be inspected by City personnel with a frequency based upon FOG generation rates, FOG Control Device cleaning schedules, and history of FOG violations. Sampling and inspection of each FOG Control Device will occur at least once every two (2) years. Depending on the FOG Generator's compliance history, additional inspections may be warranted.

The FOG Control Program will include FOG compliance inspection protocols, including scheduling, inspection report forms, and inspection record-keeping requirements. These protocols will encourage FOG Generators to manage, operate, and maintain FOG Control Devices in accordance with nationally-recognized best management practices for limiting the adverse impacts of FOG discharges on wastewater collection and treatment facilities.

3.4.1 Compliance Enforcement Measures

The FOG Ordinance establishes enforcement remedies in the event a FOG Generator does not comply with the ordinance.

The City's enforcement program includes specific and tiered enforcement mechanisms, directed at achieving FOG Generators' compliance with the FOG Control Program. These mechanisms range from a notice of violation, to administrative penalties, to criminal and civil actions.

3.5 Compliance Assistance Program

As part of the FOG Control Program, the compliance assistance program facilitates training of FOG Generators in the proper operation of FOG Control Devices, FOG disposal record-keeping requirements, and other activities required under the FOG Control Program. The compliance assistance program may include training sessions with permittees or the distribution of educational materials.

3.6 Public Education

Educating the public on the proper disposal of FOG is another important component of the FOG Control Program. Residences, including single-family homes, multi-family homes, and apartments, and other customers that are not permitted FOG Generators, can play an important role at keeping FOG out of the sewer system.

The public education component of the FOG Control Program consists of the following elements:

- Distributing informational FOG door hangers to residents living immediately upstream of each FOG-related SSO after such an event;
- Annually preparing and distributing FOG-related information to customers through direct mailing or inserts within sewer bills;
- Preparing and maintaining a FOG education information page(s) on its website; and
- Evaluating and implementing appropriate methods of educating high density residential dwelling (i.e. apartment buildings and condominium and townhome complexes) occupants of the impacts of FOG on the sewer system.

Section 4

Record Keeping and Reporting

This section of the Plan describes procedures for record keeping and reporting for the FOG Control Program, as well as procedures for the periodic review, evaluation, and revision of this Plan.

4.1 Record Keeping

As required by the Consent Decree, records associated with the FOG Control Program will be saved in the Utility Department's document management system and maintained as required under the records retention policy.

The City is currently updating its strategy for managing its field and office information. The City's plan for modifying its Information Management System (IMS), as described in Article Seven, Paragraph 50 of the Consent Decree, is being submitted to EPA for approval within twenty-four (24) months of the Date of Lodging (i.e., by December 31, 2016).

4.2 Reporting

Per Article Seven, Paragraph 38 of the Consent Decree, the City must report all FOG Control Program activities performed in each calendar year in the Annual Report for that calendar year, as described in Section X of the Consent Decree.

The Annual Report will include the following items related to the FOG Program, as outlined in Paragraph 94.a. of the Consent Decree:

- Changes made in the Annual Report Year, if any, to City ordinances to implement the FOG Control Program in the approved CMOM Program;
- List of FOG Generators operating in the Annual Report Year;
- Tabulation of FOG Control Device inspections performed in the Annual Report Year including the dates of inspections;
- Tabulation of FOG Control Program violations that occurred in the Annual Report Year, enforcement actions taken to resolve those violations, and correlations, if any, between those violations and WCTS blockages that occurred in the Annual Report Year due primarily to FOG build-ups; and
- Status report on the performance indicators selected by the City to track the effectiveness of the FOG Control Program.

Performance indicators are critical management tools that will allow for continuous measurement and evaluation of the effectiveness of the FOG Control Program activities. These indicators will generate numeric criteria that will aid the City in evaluating whether the intent of

the Program is being met and, if necessary, what adjustments might be made to improve the overall effectiveness of the Program.

As the Program is fully implemented, the City will monitor the above-listed performance indicators to determine if additional performance indicators should be developed and reported.

4.3 Periodic Review, Evaluation, and Revision

As part of the Utility's annual reporting process, the Program shall be reviewed and evaluated by Utility personnel in order to determine whether the objectives set forth by the Consent Decree are being met or improvements to the plan are needed. If an element of the Plan is identified as being ineffectual or impracticable, then the Utility will propose the necessary amendments, or submit a revised plan, as part of the Annual Report.

Section 5

Training and Standard Operating Procedures

5.1 Training

Per Article Seven, Paragraph 55 of the Consent Decree, the CMOM Program must include a Comprehensive Training Program (CTP) for technical and skills training for appropriate categories of the Utility's employees. The CTP plan was submitted to EPA for approval within eighteen (18) months of the Date of Lodging (submitted June 28, 2016). The CTP is directly related to the operation and maintenance of the sanitary sewer collection system for the purpose of responding to and preventing SSOs, including those practices and protocols related to the FOG Control Program.

5.2 Standard Operating Procedures (SOPs)

The plan and schedule for developing SOPs for general operation and maintenance of all components of the WCTS was detailed in a report submitted to EPA within eighteen (18) months of the Date of Lodging (submitted June 28, 2016) per the Consent Decree.