



DATE: October 7, 2024

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Patrick Pulis – Environmental Services Supervisor, Public Works & Utilities (PW&U)
Chelsea Thompson – Deputy Director of Environmental Services, PW&U
Gina Benedetti-Petnic, PE – Interim Director, PW&U

SUBJECT: Adoption (Second Reading) of Ordinance No. 2896 N.C.S. of the City Council of the City of Petaluma to Amend Section 15.48.040 of the Petaluma Municipal Code Entitled “Specific Limitations on Wastewater Strength” with minor changes

RECOMMENDATION

It is recommended that the City Council adopt the Ordinance No 2896 N.C.S. to amend Section 15.48.040 of the Petaluma Municipal Code, entitled “Specific limitations on wastewater strength” with minor changes.

BACKGROUND

On September 9, 2024, the City Council unanimously approved amending Section 15.48.040 of the Petaluma Municipal Code, “Specific Limitations on Wastewater Strength.” The amendment to the Municipal Code was introduced by the City Council with minor changes to the draft presented at the September 9, 2024, City Council meeting.

DISCUSSION

The City of Petaluma has a Pretreatment Program that prescribes general and specific limits to industrial users of the City’s sewer collection system. The wastewater limits (Local Limits) are required to be reassessed every five years to determine if any changes are necessary.

During the 2017 & 2022 reassessments, two recommendations were made. One was to update the limits for copper and nickel to technically based limits. The other recommendation was to remove the specific limit for phenol, as it was already captured in the limit for total toxic organics. The amendment to this section of the municipal code reflects these changes and minor changes to the code for clarity.

For a more in-depth discussion of the proposed amendments to the municipal code, please review the staff report for the first reading of the ordinance, which occurred on September 9, 2024. Here is a link to that item:

<https://cityofpetaluma.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=f7985282-4284-4e9d-baa8-5742d5f07ee4>

PUBLIC OUTREACH

This agenda item appeared on the City’s tentative agenda document on September 16, 2024, which was a publicly-noticed meeting.

COUNCIL GOAL ALIGNMENT

The City Council has identified “An environmental legacy we can be proud of” as one of its key goals. This item meets this goal by implementing relevant local limits for pollutants of concern that ensure Ellis Creek Water Recycling Facility (ECWRF) continues to protect the environment. The City Council has identified “An economy that prospers” as another one of its key goals. This item meets this goal by setting limits that reflect ECWRF's capacity, allowing for responsible economic growth and making compliance easier for industrial users. Lastly, “A safe community that thrives” is another key goal. This item meets the goal of ensuring the sewer system and ECWRF operate safely and foster a thriving community.

CLIMATE ACTION/SUSTAINABILITY EFFORTS

The re-evaluation of local limits of pollutants of concern occurs every five years to ensure that the established limits will continue to support ECWRF in meeting permit limitations and water quality objectives for safe discharge to the Petaluma River. Impacts of climate change and sustainability efforts may impact the wastewater treatment process, including local limits and pollutants of concern. Several factors were considered in the recent 2022 re-evaluation of local limits, including the impact of drought conditions and water conservation on influent flows. The proposed amendments to Ordinance 15.48.040 will assist with the implementation of the recent 2022 re-evaluation of local limits.

ENVIRONMENTAL REVIEW

The proposed ordinance amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15307 (Actions by regulatory agencies for protection of natural resources) and 15308 (Actions by regulatory agencies for protection of the environment) because this action will ensure that we do not exceed effluent limitations contained in the National Pollutant Discharge Elimination System permit for the Ellis Creek facility and its collection system, as well as enable the City to meet additional regulatory and operational requirements. The implementation of local limits helps avoid hazardous conditions in the sewer collection system and helps ECWRF meet regulatory standards for recycled water, biosolids, and treated wastewater that is discharged to the Petaluma River.

FINANCIAL IMPACTS

This action would have no direct financial impact. However, fewer enforcement fines may be issued for non-compliance with copper and nickel limits defined in PMC Section 15.48.040, which may have indirect financial impacts.

ALTERNATIVES

No alternatives are proposed. Not adopting the Ordinance to amend PMC Section 15.48.040, entitled “Specific limitations on wastewater strength,” would result in the local limits for copper and nickel remaining as limits based on residential household wastewater limits that are more conservative than technically based limits that consider the ECWRF treatment capability and be technically misaligned with the EPA’s Local Limits Guidance.

ATTACHMENTS

1. Ordinance