

Laws Requiring Pollution Prevention Practices

Stormwater/urban runoff is being addressed as a result of the 1987 amendments to the Federal Clean Water Act [Section 402(p)], which established requirements for stormwater discharges. The Clean Water Act requires municipalities to obtain a permit for stormwater discharges into storm drain systems – such as those throughout Los Angeles County – that lead into rivers, lakes, or the ocean. This permit is called the “National Pollutant Discharge Elimination System (NPDES) Permit.”

In July 1990, in compliance with the Clean Water Act, the California Regional Water Quality Control Board/Los Angeles Region issued a five-year permit to the County of Los Angeles and 85 of its cities for municipal stormwater discharges. The Water Quality Control Board issued another five-year NPDES Permit on July 15, 1996, and again on December 13, 2001. The present permit became effective on February 1, 2002 and will expire on December 13, 2006. The permit includes requirements that are intended to prevent pollutants, such as trash, motor oil sediment, material from construction sites, pesticides, and contaminated non-stormwater runoff from entering the storm drain system and polluting the receiving water bodies.

The County and its cities have local legal authority (e.g., codes, ordinances) to enforce the requirements of the NPDES Permit within their respective jurisdictions. Many also issue Industrial Waste Discharge Permits to a broad range of businesses requiring implementation of Best Management Practices (BMPs) that prevent pollution of stormwater and urban runoff. Experts in pollution prevention visit these permitted facilities regularly to verify permit compliance, explain regulations, and provide tips on clean business practices to help managers avoid violating their permits and protect local communities as well as the region’s waterways.

Inspections of food facilities are conducted to ensure compliance with the California Health and Safety Code, specifically, that portion of the code known as the California Uniform Retail Food Facilities Law (CURFFL). Certain sections of CURFFL overlap with the requirements set forth in the NPDES Permit. As such, inspections of food facilities will continue as they have in the past, encompassing those elements of the NPDES Permit that are addressed in CURFFL.

There are county and city ordinances that prohibit discharging anything but stormwater into the storm drains. Any commercial, industrial or construction business found discharging waste or wastewater into the storm drain system may be subject to judicial and/or administrative penalties.

Preventing Stormwater Pollution for the Food Service Industry

The storm drain system was designed to prevent flooding by carrying excess rainwater from city streets straight to the ocean. Because the system contains no filters, it also serves the *unintended* function of carrying urban pollution directly to the ocean. In light of this dilemma, it is imperative that measures be taken in order to prevent ocean pollution from stormwater and urban runoff.

Stormwater pollution is the result of rain and industrial (and/or household) water mixed with urban pollutants. The pollutants include: oil and other automotive fluids, paint and construction debris, yard and pet waste, pesticides, and litter.

Urban runoff pollution is the flow of water and debris from the streets, through the storm drain system, straight to the ocean. Each day 100 million gallons of polluted urban runoff enters the ocean untreated. This leaves toxic chemicals in our surf and tons of trash on our beaches.

Urban runoff pollution contaminates the ocean, harms aquatic life, increases the risk of inland flooding by clogging gutters and catch basins, and leads to beach closures.

Problems

The by-products of food-related businesses can harm the ocean and sea life if they enter the storm drain system. Food businesses can cause harm when food waste is placed in leaky dumpsters, outdoor food or chemical spills are not cleaned properly, greasy/dirty floor mats are washed in parking lots, or when outdoor spills are washed into the storm drain system.

Unless proper precautions are taken, other routine activities such as cleaning oily vents or operating and maintaining delivery trucks are also sources of pollution. When it rains, motor oil that has dripped onto parking lots from business and customer vehicles is washed into the ocean via the storm drain system.

Oil and grease can clog fish gills and block oxygen from entering the water. Additionally, high concentrations of toxics found in oven and floor cleaners can harm aquatic life.

Solutions

1. *Keep Work sites clean* – Handling, storing, and disposing of materials properly can prevent pollutants from entering the storm drain system.
2. *Minimize Waste* – Use non-disposable products if your facility is permitted to do so. Serve food on ceramic dishware rather than paper, plastic, or Styrofoam, and use cloth napkins rather than paper ones. If you must use disposable products, use paper instead of Styrofoam and look for recycled and recyclable containers. Buy the

least toxic products available. Look for “non-toxic,” “non-petroleum based,” “free of ammonia, phosphates, dye or perfume,” or “biodegradable” on the label. Avoid chlorinated compounds, petroleum distillates, phenols and formaldehyde containing products. Use water-based products.

3. *Parking Lot Drainage* – Repair or replace leaky dumpsters and compactors. Rain can wash oil, grease, and other substances into the storm drain system. Wash greasy equipment, such as filters and vehicles, only in designated wash areas that drain into the sewer system with an appropriate oil/water separator. Use dry cleaning methods for accidental spills.
4. *Recycle Waste* – Purchase recycled products. By doing so, you help ensure a use for the recyclable materials that people collect and recycle. Recycle paper and cardboard, container glass, aluminum, tin, pallets, drums, oil and grease. Separate your recyclable waste. Keep your recyclable waste in separate containers according to the type of material. Recycle oil and grease waste through a renderer (renderers can be located in the telephone directory); never dump them down storm drains or on the ground.
5. *Employee and Customer Education* – Include urban runoff training in employee orientations and review. Post “Good Cleaning Practices” posters and ensure that employees follow the guidelines. Use signs to educate customers. Paint catch basins near the workplace with a stencil stating “No Dumping: This drains to the ocean.”

Report Dumping

Hazardous Materials/Waste	Los Angeles County Fire Department Health Haz Mat Program (323) 890-4045
Illegal Dumping	Los Angeles County Department of Public Works 1-888-CLEAN LA, or (800) 303-0003 (L.A. County Unincorporated) (800) 974-9794 (City of Los Angeles)

Frequently Asked Questions

Q: What is urban runoff pollution?

A: It is the flow of water and debris from the streets, through the storm drain system, straight to the ocean.

Q: What is stormwater pollution?

A: It is the result of rain and industrial (and/or household) water mixed with urban pollutants.

Q: Why should I be concerned with stormwater and storm drains?

A: Stormwater and storm drains should be a major concern for all Los Angeles County residents because polluted stormwater is the source of a great deal of coastal water pollution.

Q: What is the difference between storm drains and sewers?

A: The sewer system collects water from inside homes and businesses and carries it to a treatment plant where it is cleaned before being released into the ocean. The storm drain system collects water and litter from outside our homes and businesses and carries it, untreated directly to the ocean.

Q: What is the purpose of the storm drain system?

A: The purpose of the storm drain system is to divert rainwater away from urban areas; to prevent the flooding that in earlier decades caused great hardship and even loss of life.

Q: Where does the wastewater that goes into gutters and storm drains get treated before it goes into the ocean?

A: Nowhere. Wastewater in the storm drains flows directly to the ocean without any treatment. This is why it is so important to keep pollutants out of the storm drain system.

Q: Why is my food facility being required to comply with regulations related to stormwater pollution?

A: Food businesses can cause harm when food waste is placed in leaky dumpsters, outdoor food or chemical spills are not cleaned up properly, greasy/dirty floor mats are washed in parking lots, or when outdoor spills are washed into the storm drain system.

Q: Will another inspector, in addition to my regular Health Inspector, visit my food facility to conduct a stormwater inspection?

A: If your food facility is located in an unincorporated area of Los Angeles County, an inspector representing Los Angeles County Public Works will also inspect your facility regarding stormwater pollution. For all other areas of Los Angeles County, your regular Health Inspector will conduct both routine inspections and stormwater inspections at your food facility.

Q: Are there additional laws that the inspector will enforce at my food facility?

A: No. The California Uniform Retail Food Facilities Law (CURFFL) is the law that governs your food facility regarding public health. The aspects of stormwater regulations that apply to your food facility are not new additions to CURFFL, and have always been addressed by your Health Inspector during past inspections.

Q: Will my Health Inspector give me another report in addition to my regular inspection report?

A: Yes. You will be receiving the regular Food Official Inspection Report (FOIR) and an additional Stormwater Official Inspection Report (SOIR). The SOIR is a detailed report of stormwater related violations observed during an inspection, which have been noted, on the FOIR. The SOIR should not be confused with the FOIR, which addresses *all* public health related violations found in CURFFL.

Q: Will my food facility grade suffer because more focus is being directed toward stormwater requirements?

A: Your Health Inspector will continue to inspect your facility with the same diligence as he/she has in the past. Violations related to stormwater pollution are not new additions to the FOIR, and the point values for these violations have remained the same. Therefore, your food facility grade will still be reflective of the facility's *overall* performance.

Q: What can I do to help prevent stormwater pollution and ensure that my food facility is in compliance with applicable regulations?

A: Implementing Best Management Practices (BMPs) at your food facility will ensure a cleaner ocean and cities, as well as maintain compliance with applicable regulations. Ask your Health Inspector for a copy of the Los Angeles County Environmental Health's BMPs brochure to get started in helping prevent stormwater pollution.

Q: Is there a special stormwater class that I will have to attend in order to maintain my public health permit?

A: No. However, if you are interested in learning more about stormwater issues please visit the Los Angeles County Public Works website at: www.888CLEANLA.com

Q: If I observe someone dumping trash or hazardous waste illegally, what should I do?

A: Call 1-888-CLEAN LA, and report what you've seen.