

RESOLUTION NO. 22- 27

A RESOLUTION ESTABLISHING CONDITIONS FOR THE
WASTE ALLOCATION TO THE FERMENTATION BEVERAGE INDUSTRY SECTOR

WHEREAS, the City of Astoria provides a valuable public service by providing a sewer system inside the City limits. These sewer facilities constitute a public utility owned and operated by the City of Astoria. The utility exists for the benefit of persons within the City who want to have the system available for disposing of wastewater.

WHEREAS, the Fermentation Beverage Industry businesses have been discharging increasing loads of BOD5 to the public sewer system in recent years, and the City desires to ensure that these discharges do not disrupt the publicly owned treatment works or result in violations to the City's National Pollution Discharge Elimination System (NPDES) Permit.

WHEREAS, the City has promulgated a Pretreatment Ordinance to provide legal authority and guidance in implementing a voluntary pretreatment program to govern discharges requiring pretreatment, including for the fermentation beverage industry sector.

WHEREAS, under Section 3.040 of the Astoria Code, the City Manager is authorized to enforce sewer rules and regulations and the City Council hereby approves the following rules and regulations.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASTORIA, THAT THE FOLLOWING RULES AND REGULATIONS SHALL BECOME EFFECTIVE UPON PASSAGE:

FERMENTATION BEVERAGE INDUSTRY WASTELOAD ALLOCATIONS

Section 1.01. Definitions.

- (1) "Biochemical Oxygen Demand or BOD5" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).
- (2) "City" shall mean the City of Astoria.
- (3) "Fermentation Beverage Industry" shall mean users of the City's public sewer system who are engaged in the business of fermentation, which users have higher than average BOD5 discharge loads due to the nature of their operations and are thus subject to the City's Pretreatment Ordinance.
- (4) "Headworks Loading" shall mean the loading that has been determined as the maximum loading of a parameter to the wastewater treatment plant that will allow the treatment plant to consistently meet the required NPDES permit limits.
- (5) "Industrial Waste" shall mean the liquid waste from industrial manufacturing processes, trade, or business as distinct from domestic-type sewage.
- (6) "NPDES Permit" shall mean the permit issued to the City by the Oregon Department of Environmental Quality under the National Pollutant Discharge Elimination System program.
- (7) "Pretreatment Ordinance" shall mean Pretreatment Ordinance No. 22-10 passed on May 16, 2022 or any future amendment to or replacement of the same.

- (8) "Sanitary Sewer" shall mean a conduit intended to carry liquid and water-carried waste from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface water that are not intentionally admitted.
- (9) "Sewage" shall mean human excrement and gray water (household showers, dishwashing operations, etc.).
- (10) "Sewer" shall mean a pipe or conduit for carrying wastewater.
- (11) "Sewer Service Resolution" shall mean Sewer Service Resolution 21-19 or any future amendment to or replacement of the same.
- (12) "Shall" is mandatory; "may" is permissive.
- (13) "Wastewater Treatment Plant" shall mean the publicly owned treatment works that is part of the City's public sewer system.

Any term not defined in this section shall have the meaning specified in the Sewer Service Resolution and/or the Pretreatment Ordinance.

Section 1.02. Wastewater Treatment Plant Headworks Loading

- (1) The Public Works Director is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
- (2) A current maximum daily allowable headworks loading for BOD5 of 5,500-lbs. per day has been established for the wastewater treatment plant.
- (3) The City is adopting an allocation of the allowable headworks loading to the Fermentation Beverage Industry through June 30, 2025 as follows:
 - a) Headworks Allocation = 5,500 lbs./day
 - b) Safety Factor = 100 lbs./day
 - c) Hauled Waste Load = 0 lbs./day
 - d) Current Municipal/Residential Load = 4,161 lbs./day
 - e) 5-years of Planned Growth = 199 lbs./day
 - f) Reserve for Industrial Growth = 0 lbs./day
 - g) Allocation to Industry = 1040 lbs./day
- (4) The City is adopting a sub-allocation of loads among the current members of the Fermentation Beverage Industry through June 30, 2025 as follows:
 - a) Astoria Brewing Company – 69 lbs./day
 - b) Buoy Beer Co. and Pilot House Distilling – 455 lbs./day
 - c) Fort George Brewery (426 14th St.) – 98 lbs./day
 - d) Fort George Brewery (70 W. Marine Dr.) – 339 lbs./day
 - e) Reach Break Brewing – 49 lbs./day
 - f) Reveille Ciderworks – 20 lbs./day
 - g) RJ Kiepke-Hondos – 10 lbs./day
- (5) The Public Works Director may develop Best Management Practices (BMPs), by resolution and/or ordinance or in individual wastewater discharge permits or general permits to implement Local Limits and the requirements of Section 1.02.

- (6) The City's allocation of the allowable headworks loading and sub-allocation of loads will be reevaluated and a new Resolution established at a future date after improvements to the wastewater treatment plant have been completed and treatment capacity demonstrated.

Section 1.03. Effective Date.

The provisions of this resolution shall be effective on the date of execution.

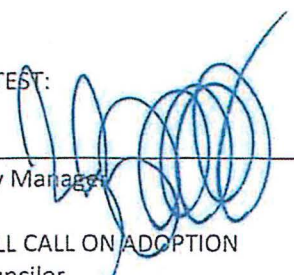
ADOPTED BY THE CITY COUNCIL THIS 20 DAY OF June 2022

ADOPTED BY THE MAYOR THIS 20 DAY OF June 2022



Mayor

ATTEST:



City Manager

ROLL CALL ON ADOPTION
Councilor

YEA NAY ABSENT

Brownson

X

Herman

X

Hilton

X

Rocka

X

Mayor Jones

X