

**PLANNING COMMISSION MEETING
THURSDAY, MARCH 9, 2017**

PRESENTATIONS

**ITEM #1 PUBLIC HEARING
Ph#17-016**

**WASTEWATER TREATMENT AND
WATER RECYCLE CENTER
3200 DEPOT ROAD**

**STAFF
PRESENTATION**

**ITEM #1 PUBLIC HEARING
Ph#17-016**

**WASTEWATER TREATMENT AND
WATER RECYCLE CENTER
3200 DEPOT ROAD**



DEVELOPMENT SERVICES

Sara Buizer, AICP, Planning Manager

March 9, 2017

Environmental Logistics Inc.



Background



- ▶ **October 2011:** City of Hayward approved an AUP to Environmental Logistics Inc. (ELI) to operate a 10 day hazardous materials transfer facility
- ▶ **February 2015:** ELI files an application to amend their AUP to operate a non-hazardous waste water treatment and recycling center in addition to the 10-day transfer facility.
- ▶ **August 2015:** Joint inspection reveals equipment already installed without permit
- ▶ **October 2016:** Planning Director denied AUP amendment request

Hayward's Waste Water Treatment Plant

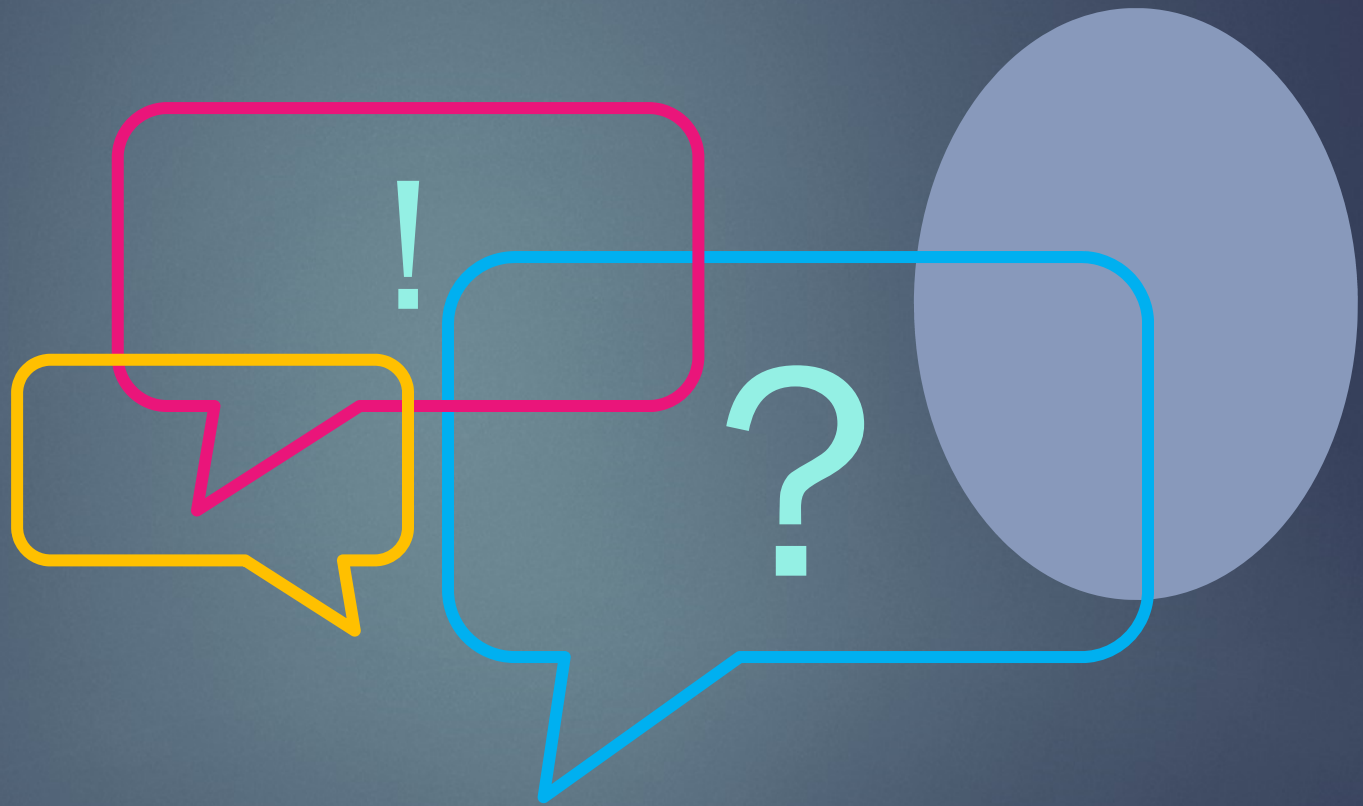


Required Findings



- ▶ The proposed use is desirable for the public convenience or welfare;
- ▶ The proposed use will not impair the character and integrity of the zoning district and surrounding area;
- ▶ The proposed use will not be detrimental to the public health, safety, or general welfare; and
- ▶ The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.

Questions & Discussion



**ENVIRONMENTAL LOGISTICS
PRESENTATION**

**ITEM #1 PUBLIC HEARING
Ph#17-016**

**WASTEWATER TREATMENT AND
WATER RECYCLE CENTER
3200 DEPOT ROAD**





Application Before You Today

- Planning Director felt that proposed use increased risks to:
 - City's Water Pollution Control Facility
 - The environment in general
- This is simply not the case
 - All of the facts weigh heavily in favor of granting the AUP

WASTEWATER TREATMENT

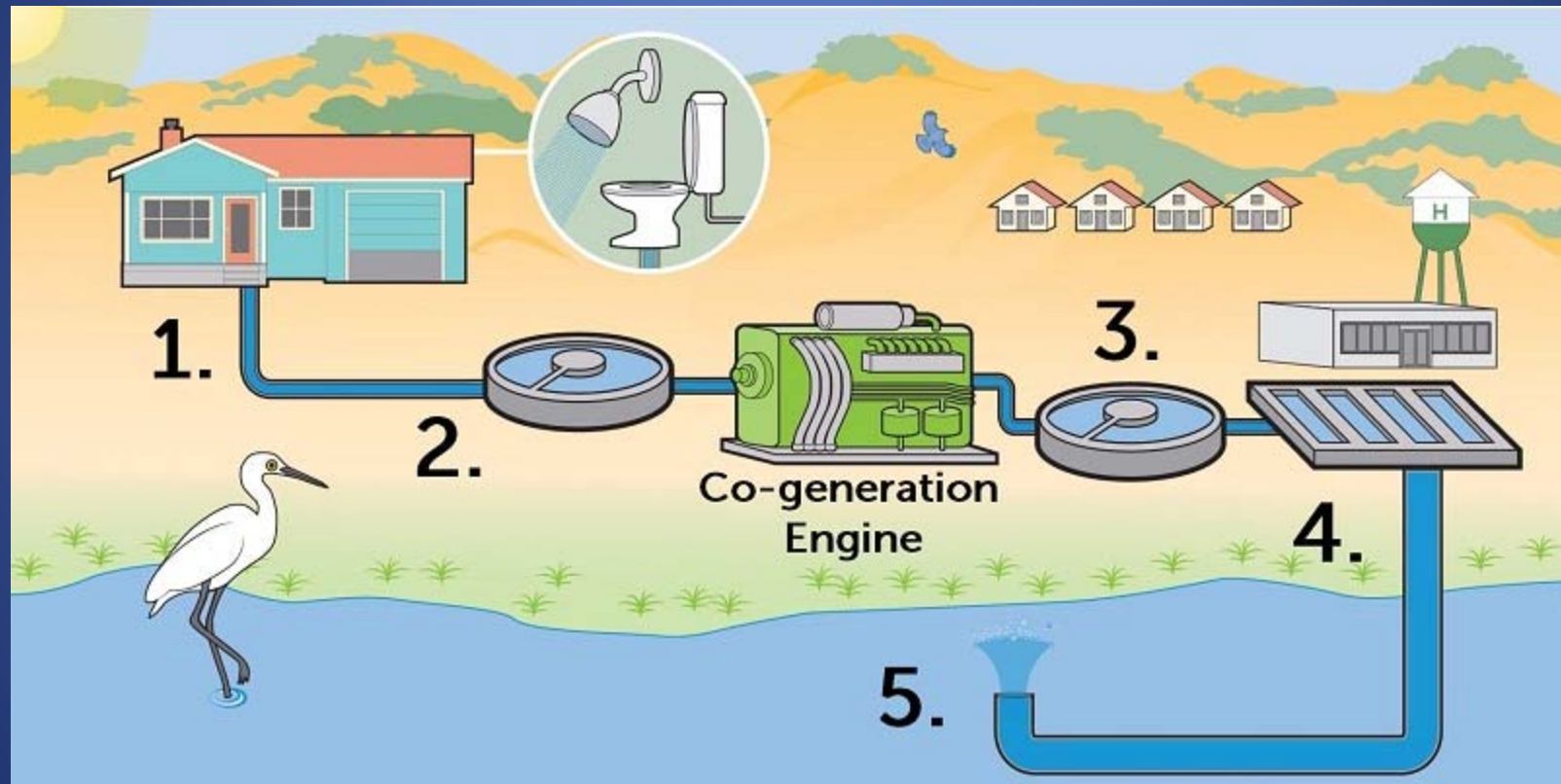
<http://user.govoutreach.com/hayward/faq.php?cid=10909>

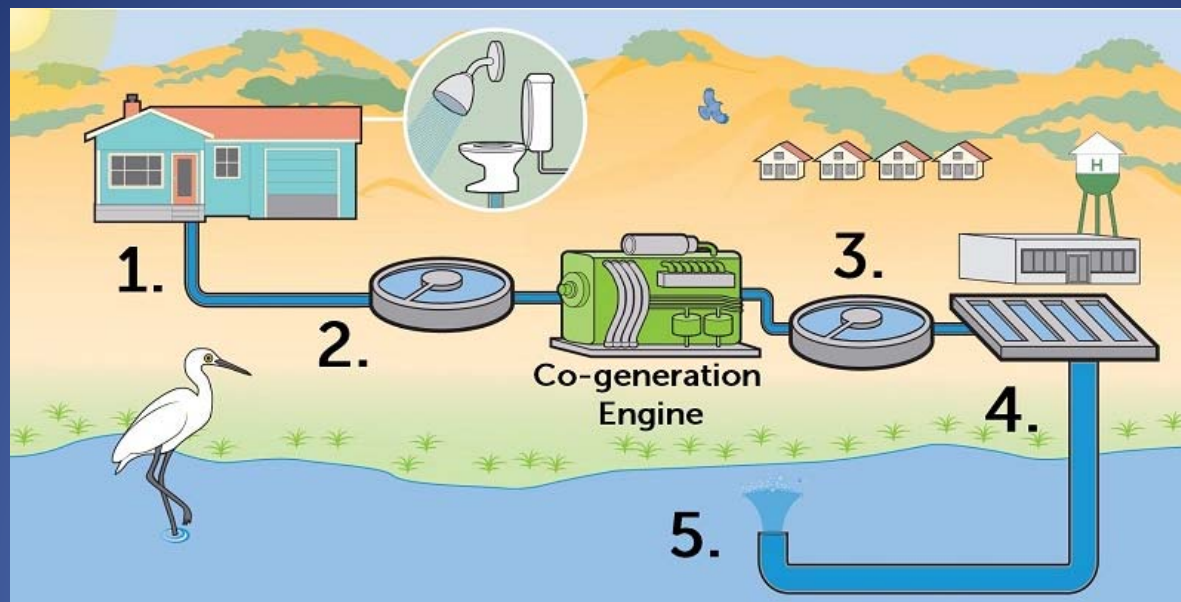
The City collects and treats wastewater from **residential, commercial and industrial facilities** throughout **Hayward** to protect public health and the environment.

Both biological and technological processes are used to treat and dispose of domestic and industrial wastewater at the Water Pollution Control Facility (WPCF). The treatment meets the standards of the Regional Water Quality Control Board and the United States Environmental Protection Agency. Effluent (treated water flow) from the WPCF is pumped into the East Bay Dischargers Authority's "super sewer" line for final disposal in the deeper water of San Francisco Bay.

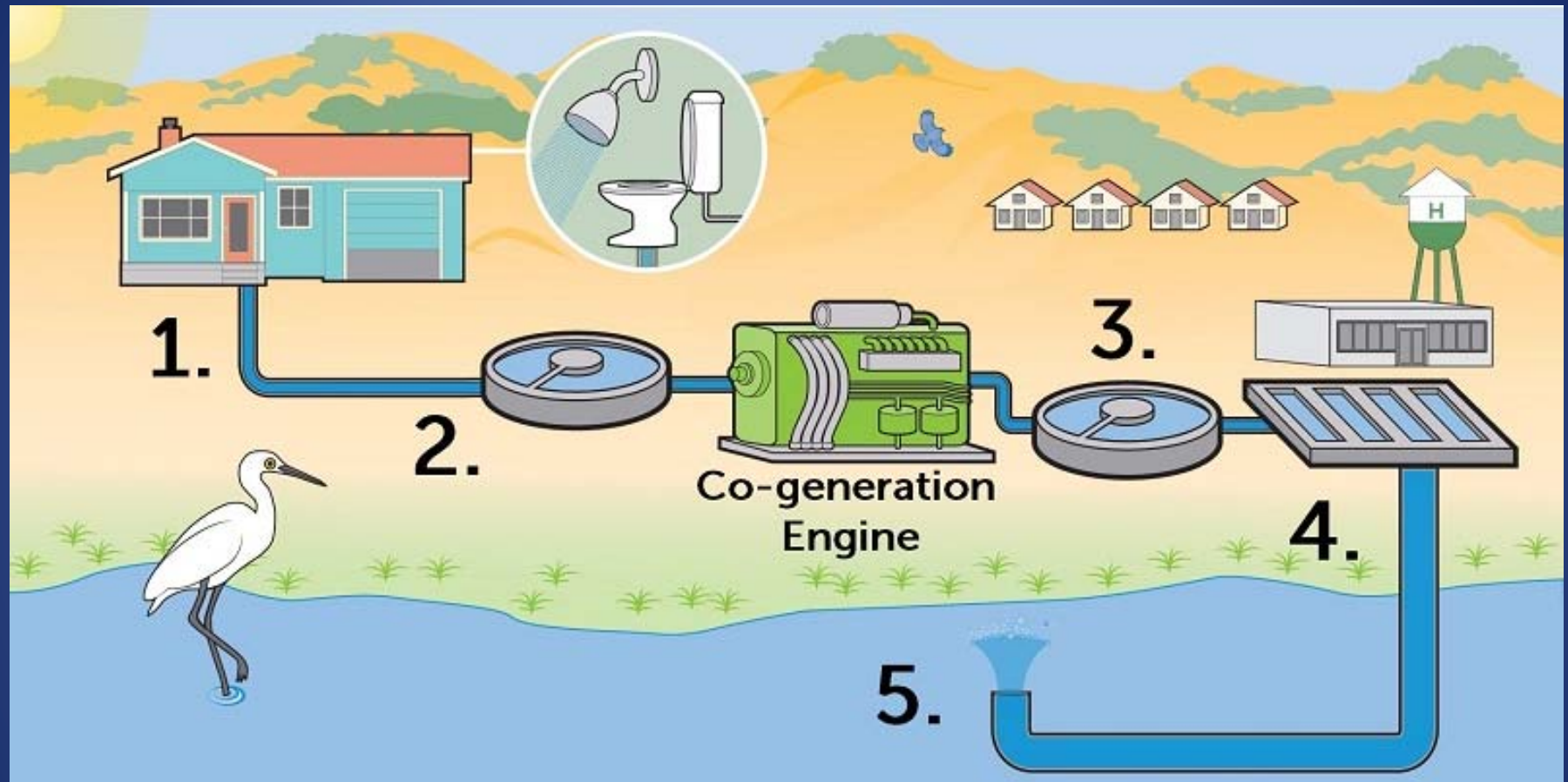
Hayward Water Pollution Control Facility

<http://www.hayward-ca.gov/your-environment/green-your-community/wastewater>





1. Water from your sink, shower, clothes washer and toilet drain into Hayward's sanitary sewer system. The sewer system is maintained by City crews who continuously clean out pipes to keep the wastewater flowing downhill towards the Treatment Facility.
2. At the Treatment Facility, solids that float or sink are separated out of the wastewater in the primary clarifier tanks.
3. Beneficial bacteria then treat the wastewater by eating the suspended waste in the secondary clarified tanks.
4. The remaining wastewater is disinfected with chlorine to make sure that harmful bacteria are killed, such as E. coli. The chlorine breaks down over time.
5. Clean, fish-friendly water is pumped into the East Bay Dischargers Authority's "super sewer" line and is released deep in the water of San Francisco Bay.

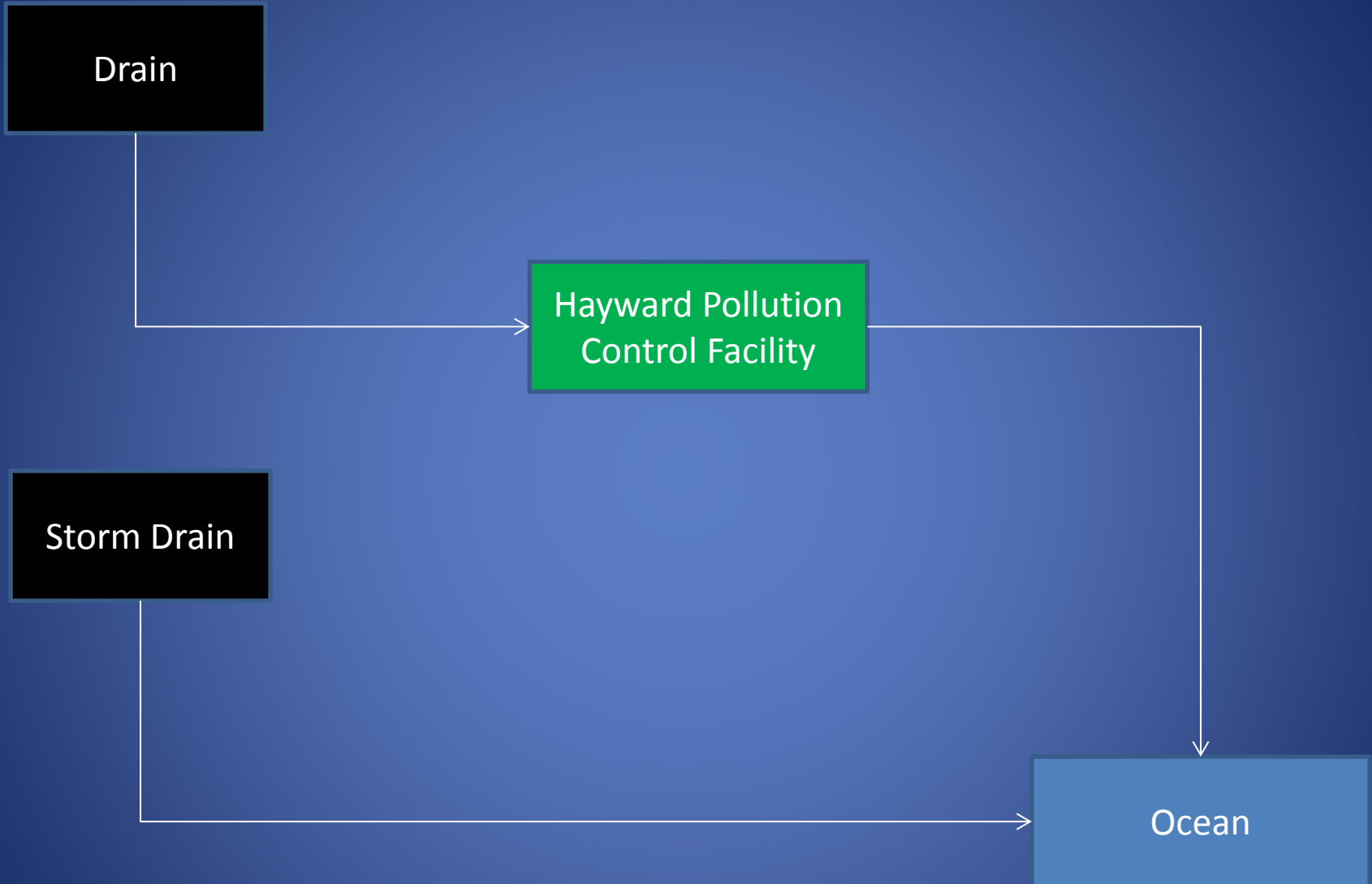


Drain

Hayward Pollution
Control Facility

Storm Drain

Ocean



Storm Drain

Ocean

The following items are toxic to our bay. Please keep them away from your stormdrain.

- Motor oil
- Household chemicals and cleaning products, including soap to wash cars and dishes
- Paint
- Pesticides and fertilizer
- Pet waste
- Grass and yard clipping
- Trash

(<http://www.hayward-ca.gov/services/city-services/report-illegal-stormwater-discharges>)

Drain



Hayward Pollution
Control Facility



Ocean

The following items harm our Wastewater Treatment process. Please do not flush or pour down the drain:

- Wipes or towels
- Diapers
- Medications
- Fats, oil and grease
- Household chemicals

(<http://www.hayward-ca.gov/services/city-services/report-illegal-stormwater-discharges>)

Wastewater from:

- Car washes
- Truck washes
- Cutting fluids
- Contaminated water
- Storm drain sediments
- Construction sites
- Bridge water
- Brine water
- Mop water

?

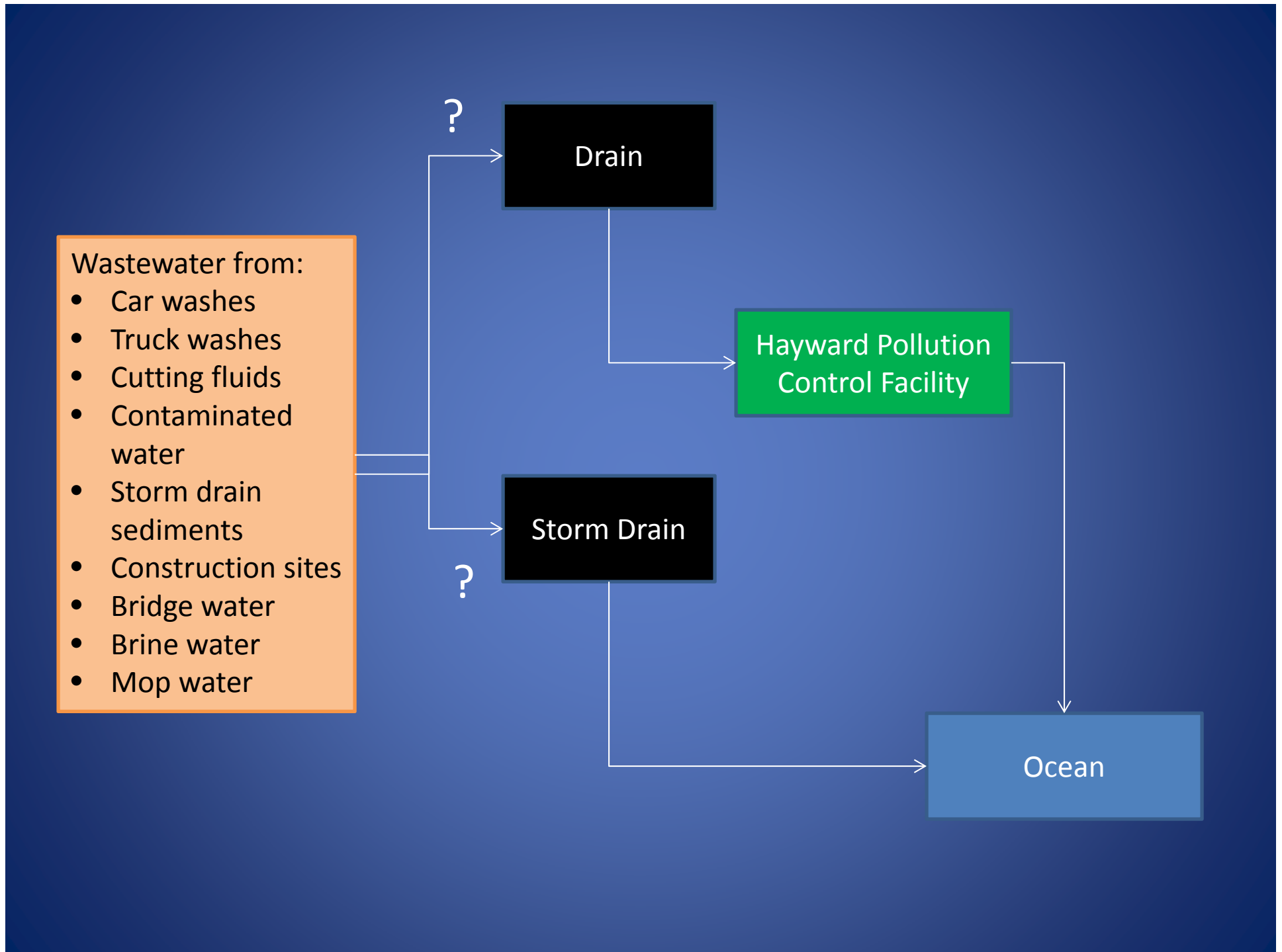
Drain

Hayward Pollution
Control Facility

Storm Drain

?

Ocean





MEMBER AGENCIES:

Alameda
Albany
Berkeley
Dublin
Emeryville
Fremont
Hayward
Livermore
Newark
Oakland
Piedmont
Pleasanton
San Leandro
Union City
County of Alameda
Alameda County Flood
Control and Water
Conservation District
Zone 7 Water Agency

CITY OF HAYWARD
FISCAL YEAR
2015-2016 ANNUAL
REPORT OF
STORMWATER
PROGRAM
IMPLEMENTATION

Submitted to:
California Regional Water
Quality Control Board, San
Francisco Bay Region
[September 15, 2015]

http://www.swrcb.ca.gov/rwqcb2/water_issues/programs/stormwater/MRP/2016_AR/Alameda/Hayward_2015-16_MRP_AR.pdf

Section 4 – Provision C.4 Industrial and Commercial Site Controls

Program Highlights and Evaluation

Highlight/summarize activities for reporting year:

Summary:

The Business Inspection Plan was thoroughly reviewed and updated during FY 2015/2016. The inventory for C.4 inspections was also reviewed and updated using Hayward's business license list and Water Pollution Source Control's (WPSC) Microsoft® Access ACCWP Facility Inspection Database to meet the requirements of MRP Provision C.4.b.iii. The list of Hayward SW Facilities Scheduled for Inspection 2016/2017 is an excerpt of this new inventory list. Inspection dates are color coded in this inspection log to assist in tracking the timely follow-up to non-compliant inspections. All facilities issued enforcement actions, including verbal warnings, are reinspected in a timely fashion until the facility returns to a compliant status. Additional MRP reporting requirements are met utilizing the inspection log business category coding field or by implementing the procedural changes recommended by the ACCWP Database Work Group when utilizing the Microsoft® Access ACCWP Facility Inspection Database. The total internal stormwater inspection commitments will remain approximately the same as those set for 2015/2016. It has been determined that the current commitment list ensures all sites that could reasonably be considered to cause or contribute to pollution of stormwater runoff are inspected at least once every five years. All WPSC Inspection staff attended the Alameda Countywide Clean Water Program Annual Inspector Workshop on June 9, 2016. All WPSC Inspection staff have been provided with new BMP hand-outs and given directions to access the new ACCWP Members Only website which contains all BMP hand-outs. See details in C.4.d.iii. below.

C.4.b.iii ► Potential Facilities List

List below or attach your list of industrial and commercial facilities in your Inspection Plan to inspect that could reasonably be considered to cause or contribute to pollution of stormwater runoff.

See attachment – C.4-1: Potential Hayward SW Facilities List - excerpt of ACCWP Facility Inspection Database and Hayward business license list compilation.

C.4.d.iii.(1)(a) ► Facility Inspections

Fill out the following table or attach a summary of the following information. Indicate your violation reporting methodology below.

<input checked="" type="checkbox"/>	Permittee reports multiple discrete violations on a site as one violation.		
<input type="checkbox"/>	Permittee reports the total number of discrete violations on each site.		
		Number	Percent
Number of businesses inspected		197	
Total number of inspections conducted		227	
Number of violations (excluding verbal warnings)		17	
Sites inspected in violation		27	

C.4 Attachment: Potential Hayward SW Facilities List - excerpt of ACCWP Facility Inspection Database

Facility Name	Street No.	Street Name	Suite No.	SIC Code	Standard Business Type
24 Hour Fitness	24727	Amador St.		7991	
76 Gas Station	21494	Foothill Blvd.		5541	Auto Gas/Fueling Stations
A & K Auto Body & Paint	27425	Mission Blvd.		7532	Automotive Miscellaneous
A & M Pallet Recyclers	2493	Dunn Rd.		2448	SW Permitted - Mandatory
A M V Gas & Food Inc.	438	W. Tennyson Rd.		5541	Auto Gas/Fueling Stations
A R Lithographers	28302	Industrial Blvd.		2752	
A Tiny Bubble Machine	22235	Mission Blvd.		7542	Automotive Miscellaneous
A&G Gas	25757	Soto Rd.		5541	Auto Gas/Fueling Stations
A.C. Transit - Training Facility	20234	Mack St.		4111	
A.C. Transit Bus Wash / Maint.	1758	Sabre St.		4111	SW Permitted - Mandatory
A+utohouse	636	A St.		7538	Auto Repair and Service
A-1 Autobody	25183	Huntwood Ave.		7532	Auto Repair and Service
A-1 Ready Mix Concrete	1089	Industrial Pkwy. W		3271	Construction/Contractor
AAA Auto & Body Works, Inc.	1421	Industrial Pkwy. W	F	7532	Auto Repair and Service
AAA LABEL CO.	31284	San Antonio St.		2700	Printing
AAMCO TRANSMISSIONS	22351	Mission Blvd.		7537	
Aaron Metals	25101	Clawiter Rd.		5093	Waste Related
AARON'S BODY SHOP	27751	Industrial Blvd.		7532	Auto Repair and Service
AC Complete Auto Repair	25751	Dollar St.	5	7538	
ACCURACY SCREW MACHINE	2729	Cavanaugh Ct.		3452	
Accurate Body & Paint	727	Industrial Pkwy. W	W	7538	Auto Repair and Service
Ace Iron, Inc.	31626	Hayman St.		3446	NOI Facilities - Conditional
Acme Car Service	1015	Grove Way		7538	
Action Shooters	27343	Industrial Blvd.	C	7335	Photo Developing/Processing
ACUTHERM	1766	Sabre St.			
Adtec Tax & Payroll	25125	Santa Clara St.	D	8721	
Advanced Cell Diagnostics	3960	Point Eden Way		2836	NOI Facilities - Conditional
Advanced Fabrication Technology, LLC	31154	San Benito St.		3499	NOI Conditional Facilities
AERCcom., Inc.	30677	Huntwood Ave.		7389	SW Permitted
Aga Warehouse Co., Inc.	3129	Corporate Pl.		4225	
AIA Auto Body Repair	29583	Ruus Rd.		7532	Auto Repair and Service
Airport Alliance Gas Station	20450	Hesperian Blvd.		5541	
Ajax Portable Services	29331	Pacific St.		7539	
Alameda County Household Hazardous Waste	2091	W. Winton Ave.		4953	
Alameda County Public Works Corp. Yd.	951	Turner Ct.		7542	Transportation/Corporation Yards
Alberto's Paint, Body & Frame	29401	Ruus Rd.		7532	Auto Repair and Service
Albertsons	24500	Hesperian Blvd.		5411	
Albertson's	25151	Santa Clara St.		5411	
Albertsons - City Center	22555	Mission Blvd.		5411	Retail Food Services
Aldengate Car Wash	2151	Aldengate Way		7542	Automotive Miscellaneous
Alexander's Mobility Services	3528	Arden Road		421	NOI Facilities - Mandatory
Alfa Parts Exchange	2000	National Ave.		5015	

Section 4 – Provision C.4 Industrial and Commercial Site Controls

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Return visitors may login here, but login is not required to place a request.

User name: Password: ☐ Remember me [Password assistance?](#)

[RETURN TO ACCESS HAYWARD](#)

Please tell us how we may assist you by entering your request below: ** These fields are required*

Request type:

* Select a Topic:

Adopt A Block:

* Please describe your problem or question in detail:

So we may best serve you, please tell us how you can be contacted.

Entering your name and email address allows us to communicate with you and allows you to track this request.

First Name:

Last Name:

Phone number:

* Email address:

Alt. Phone:

Address:

City:

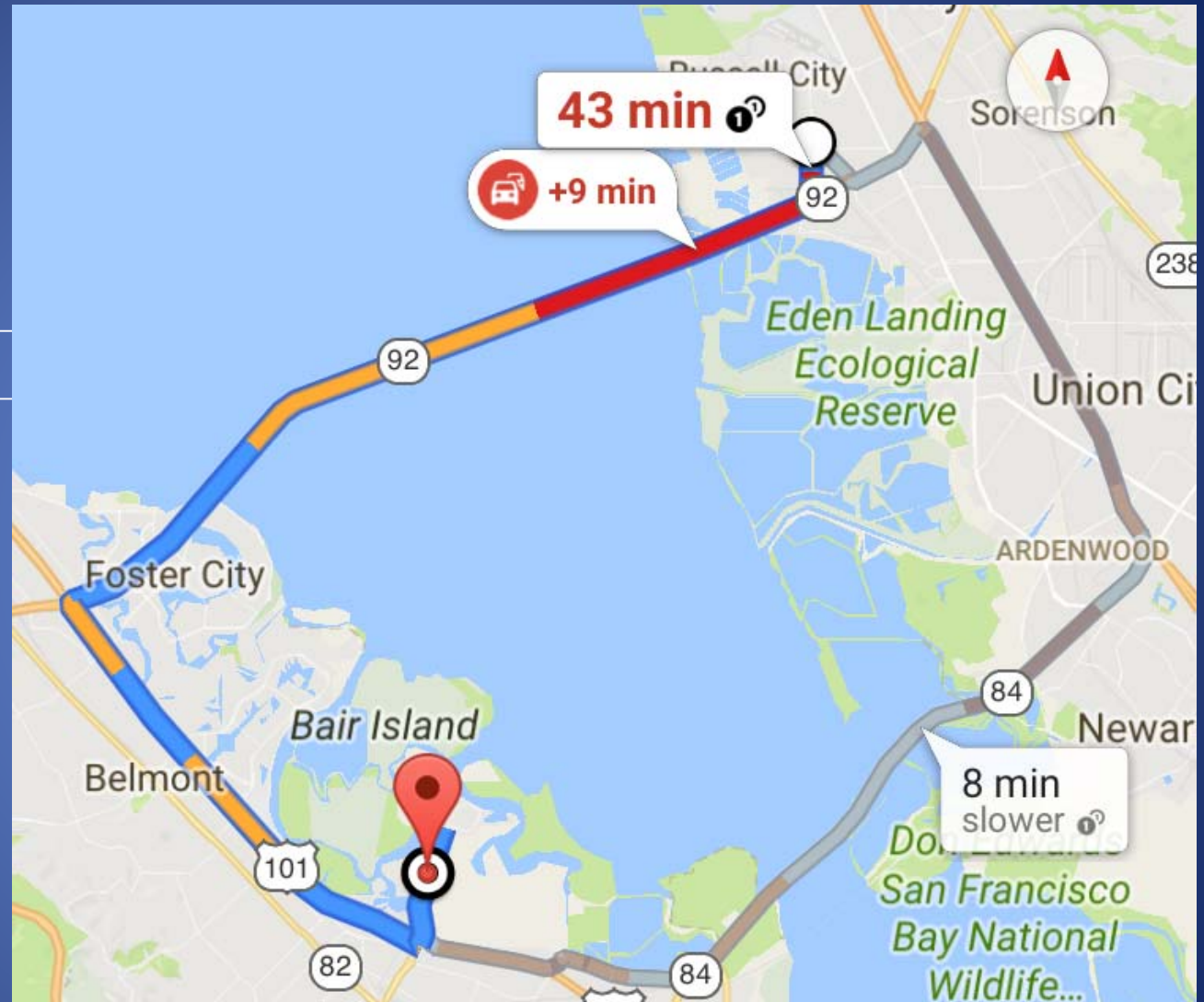
State:

Zip code:

Wastewater from:

- Car washes
- Truck washes
- Cutting fluids
- Contaminated water
- Storm drain sediments
- Construction sites
- Bridge water
- Brine water
- Mop water

Redwood City



Wastewater from:

- Car washes
- Truck washes
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Drain

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Storm Drain

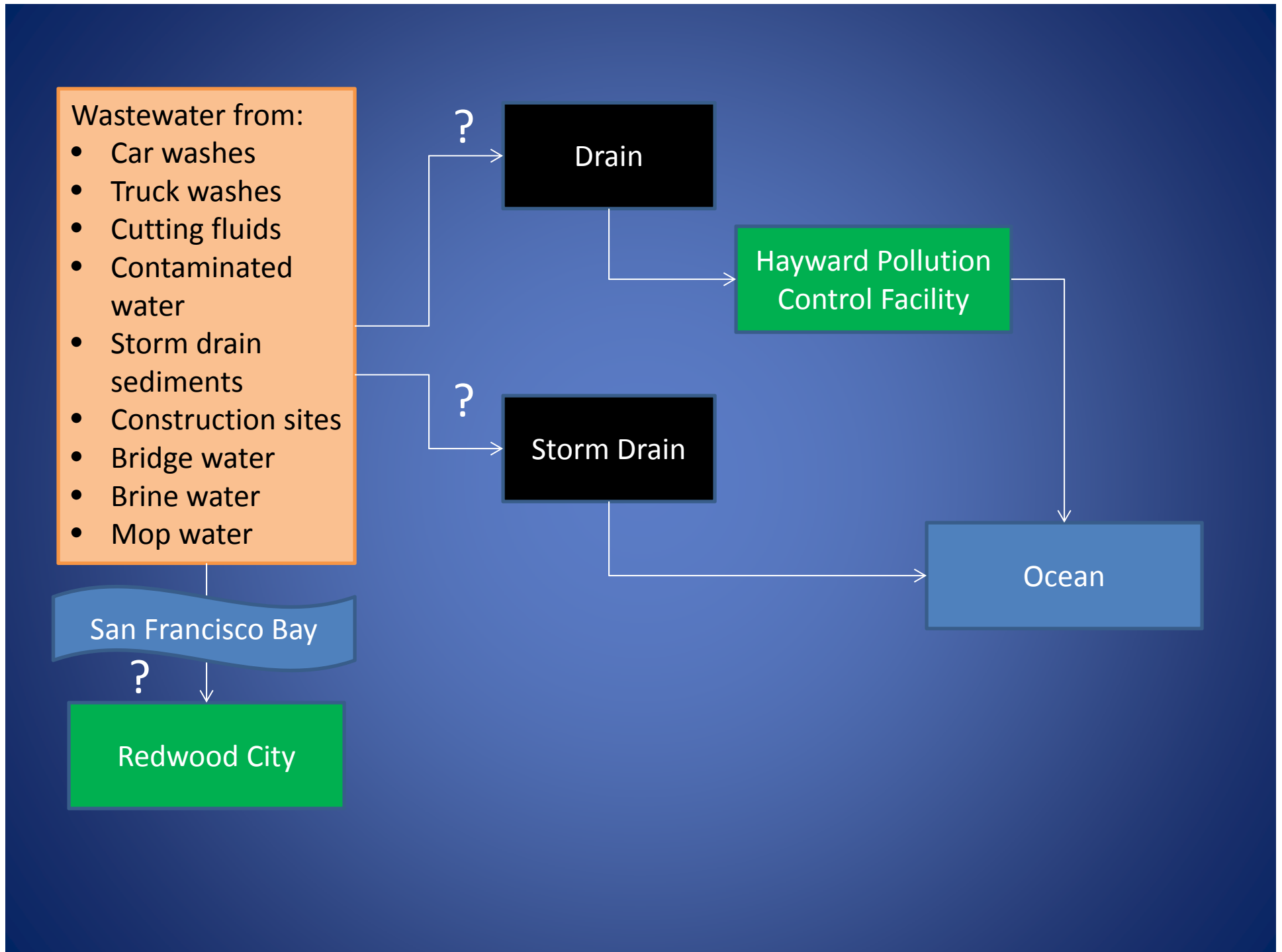
Hayward Pollution
Control Facility

Ocean

San Francisco Bay

?

Redwood City



PROPOSED USE

Wastewater from:

- Car washes
- Truck washes
- Cutting fluids
- Contaminated water
- Storm drain sediments
- Construction sites
- Bridge water
- Brine water
- Mop water

**Wastewater
Treatment Center**

Drain

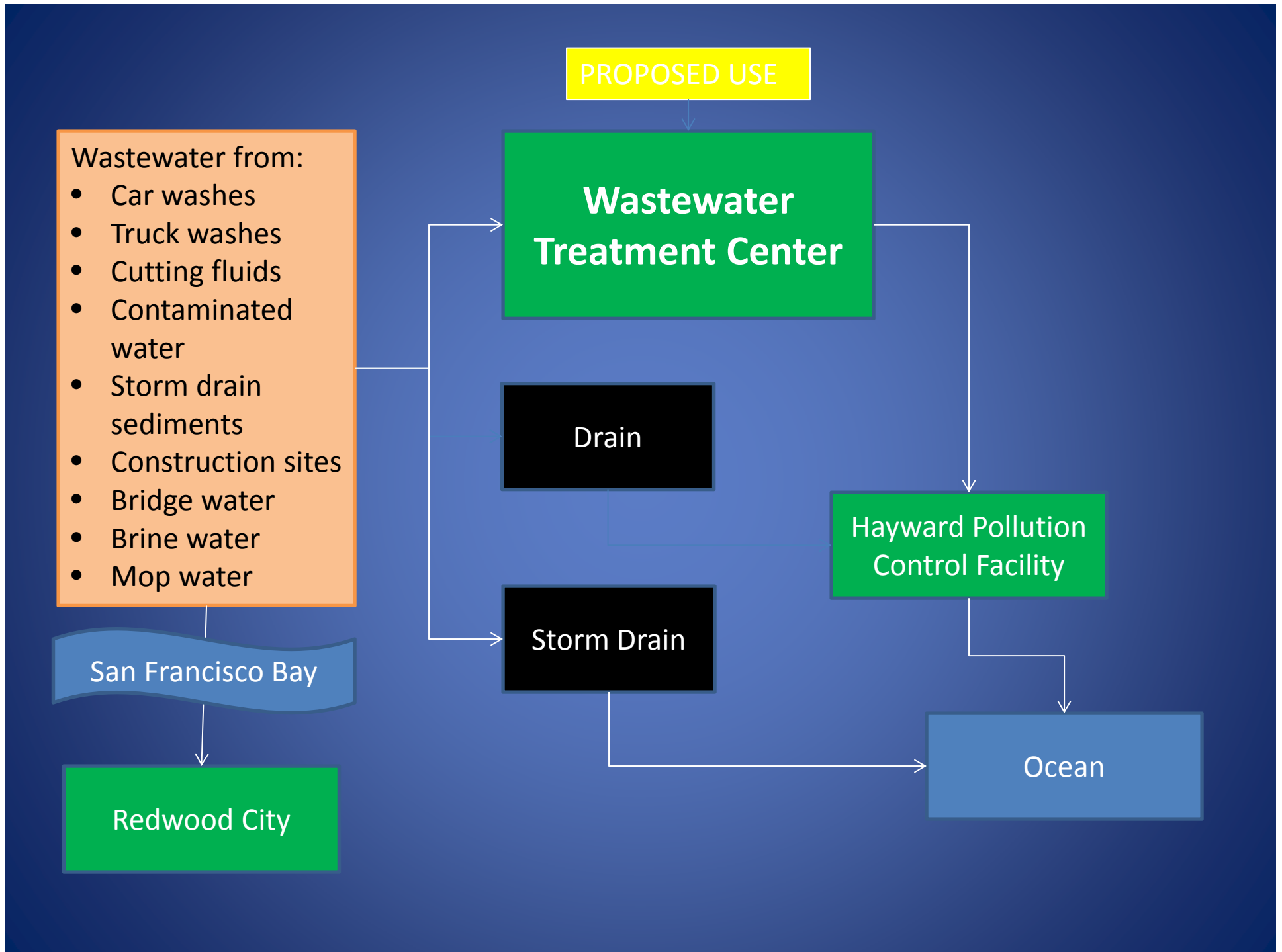
Storm Drain

Hayward Pollution
Control Facility

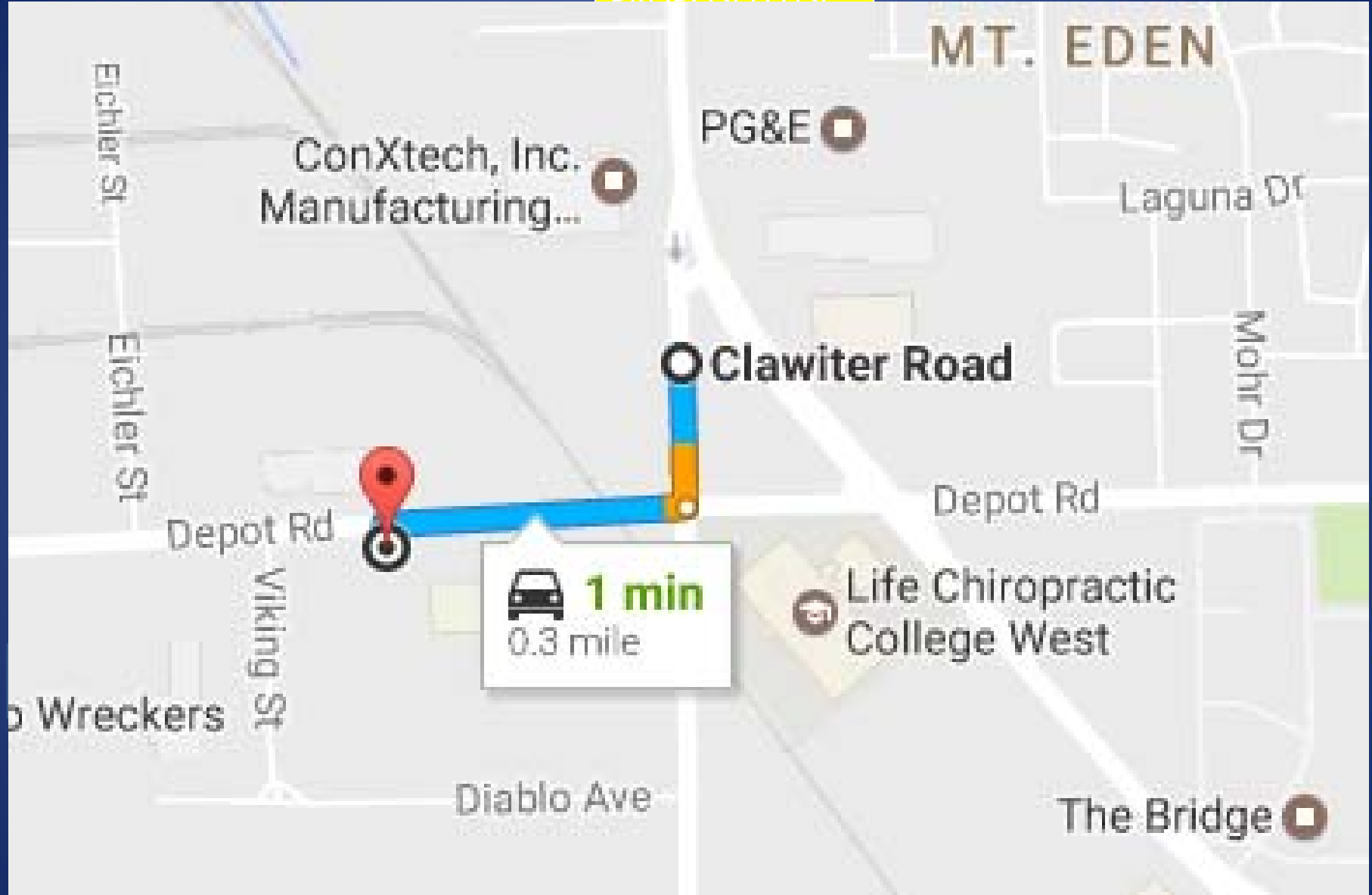
San Francisco Bay

Redwood City

Ocean



PROPOSED USE



Wastewater from:

- Car washes
- Truck washes
- Cutting fluids
- Contaminated water
- Storm drain sediments
- Construction sites
- Bridge water
- Brine water
- Mop water

- Profiling under penalty of perjury
- Fingerprinting
- Pre-treatment sampling/analysis
- Screened for conductivity, reactivity, temperature

**Wastewater
Treatment Center**

Post-treatment sampling/analysis

**Hayward Pollution
Control Facility**

Ocean

San Francisco Bay

Redwood City

Staff Report Inaccuracies

- Assertion: proposed facility operated before AUP granted
 - Not true. Never activated, plugged in, set up
- Assertion: multiple code enforcement inspections took place on October 26 and November 20, 2016
 - Not true. No evidence of inspection in visitor logs
 - Notices of violation repeat same pictures

TO ALL TRANSPORTERS & VISITORS

You must sign the sign-in sheet. And by doing so you state that you have read, understand and will obey the following:

1. Visitors and transporters will not enter the Filter Recycling Services San Leandro facility until instructed.
2. Visitors and transporters will await escort if so instructed.
3. Visitors and transporters will remain with escort and follow escort's instructions.
4. While at the facility you will wear safety glasses, hard hats, and any other personal protective equipment (ppe) as may be required and posted or at the request of a Filter Recycling Services employee.
5. Visiting Filter Recycling Services is a privilege that may be revoked at any time.

DATE	TIME IN	COMPANY NAME	SIGNATURE	TIME OUT
10/10/15	1:15	DAS	[Signature]	1:20
10/19/15	9:22	PARC	[Signature]	
10/13/15	10:28	Bayview Environmental	[Signature]	
10/13	12:15	Scott Rafferty	[Signature]	12:15
10-14	1320	Recy Gen	[Signature]	1345
10/15	7:00	B Stericycle	[Signature]	7:30
10/16	11:00	All Clean	[Signature]	11:20
10/16	1:03	Bayview Environmental	[Signature]	
10-19-15	9:02 am	Reliance Construction	[Signature]	9:25 am
10-20-15	1:04	Brittel	[Signature]	
10-22-15	1:00 pm	ENV	[Signature]	2:00 pm
10-27-15	1:30 pm	Future Env.	[Signature]	
10-23-15	9:20	Brittel	[Signature]	
10-25-15	13:00	Patmat	[Signature]	13:50
10-26-15	10:30	DAS	[Signature]	
10-26-15	12:31	PATRIOT	[Signature]	
10-27-15	1:45	Shoreline	[Signature]	
		San Francisco		
10/28/15	2:50	All Clean Haz	[Signature]	
10/29	7:00 am	Stericycle	[Signature]	7:30 am
10-29-15	9:38 am	Reliance Construction	[Signature]	11:15 am
10-29-15	2:11	T.M. INC	[Signature]	
11/3/15	10:07 am	Brittel Environmental Corp	[Signature]	11:00
11/5/15	13:20	ICES	[Signature]	
11/6/15	10:57 pm	Brittel Environmental Corp	[Signature]	2:15 pm
11-12-15	10:00	IWM INC	[Signature]	

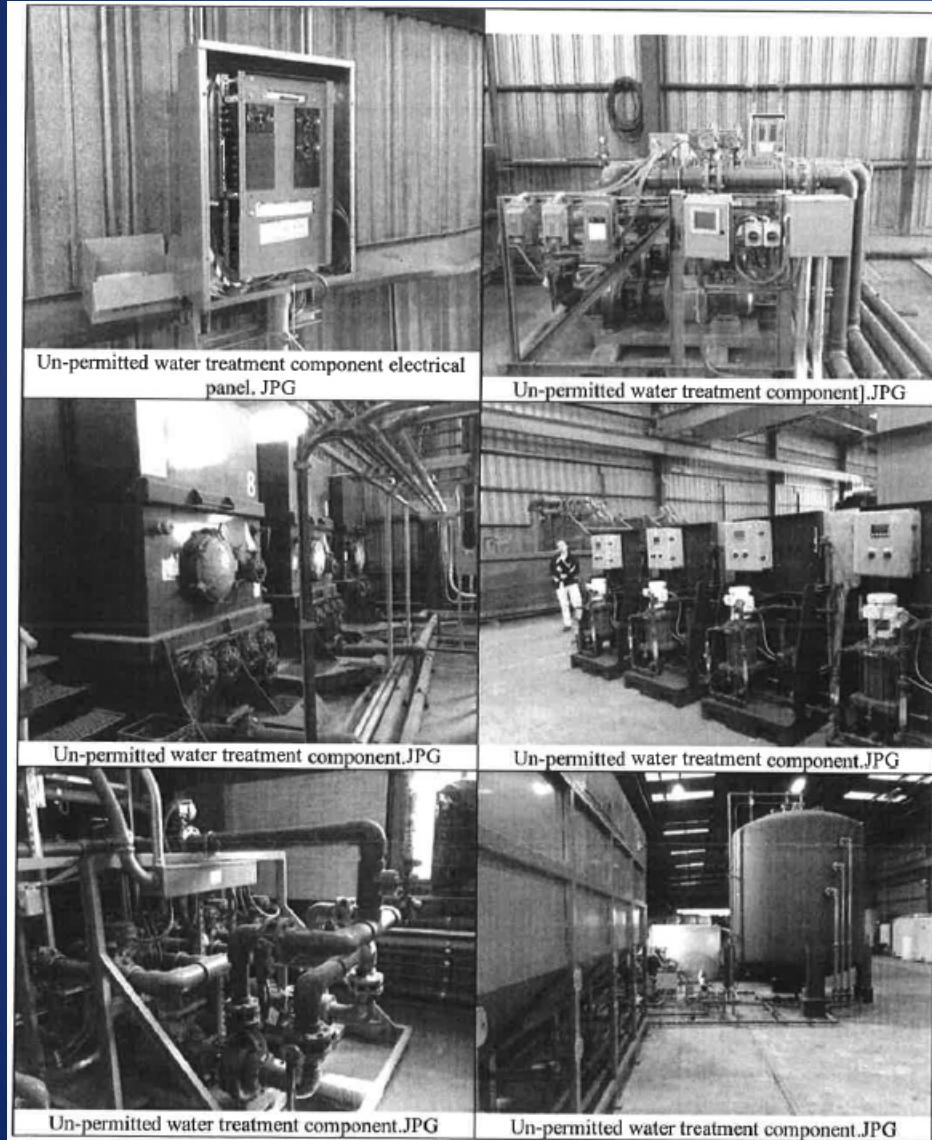
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DATE	TIME IN	COMPANY NAME	SIGNATURE	TIME OUT
11/13/15	8:30	CFL	[Signature]	
11/16/15	11:00	SER	[Signature]	
11-17-15	1:45	PAS	[Signature]	1:55
11-18-15				
11/19/15	10:45am	SSWSE	[Signature]	11:30
11-19-15	11:30am	Reliance-co.	[Signature]	11:50am
11-20-15	8:35am	Reliance CO-	[Signature]	
11/20/15	9:03	CFL	[Signature]	
11-20	10:20	Patriot Environmental	[Signature]	10:45
11/20/15	12:55	Bayview Environmental	[Signature]	
11/23/15	11:50	Bayview Env	[Signature]	12:20
11/23/15	12:05	Bluewater Environmental	[Signature]	1:30
11-23-15	1:06	LA Transportation	[Signature]	1:45
11/24/15	9:48	PATC	[Signature]	
11/24/15	1:45	SSWSE	[Signature]	1:00
11/25/15	8:50	Patriot	[Signature]	
11/25/15	9:00	Brittel Env	[Signature]	
11/25/15	11:10	Bayview Environmental	[Signature]	
12/01/15	10:55	Brittel Env	[Signature]	11:00
12/3/15	2:00	SSWSE	[Signature]	2:30
12/7/15	12:00	RES	[Signature]	1:50
12/7/15	1:30	LA Transportation	[Signature]	2:15
12/8/15	4:15	DTSC	[Signature]	
12/8/15	8:45	DTSC	[Signature]	
12/8/15	10:45		[Signature]	
1/5/16	11:45	Bayview Environmental	[Signature]	

September Notice of Violation



November Notice of Violation



Staff Report Inaccuracies

- Assertion: medical waste found at site
 - True, but allowed under permit for preexisting waste transfer facility
- Assertion: landscaping not completed
 - Landscaping approved by City on December 4, 2015
- Assertion: electrical system violated Building Code
 - City required applicant to either remove system or obtain AUP for wastewater treatment facility
 - Applicant is of course seeking an AUP to operate facility

Necessary Findings for AUP

1. The proposed use is desirable for the public convenience or welfare
2. The proposed use will not impair the character and integrity of the zoning district and surrounding area
3. The proposed use will not be detrimental to the public health, safety, or general welfare
4. The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved

1. Desirable for public convenience/welfare

- Proposed facility decreases risk of exposure to wastewater
- Over 1,000 potential polluters in the City
- Proposed facility provides less expensive local option
- Reduces likelihood of illegal disposal

1. Desirable for public convenience/welfare

- Wastewater transported in secure double-lined trucks
- Wastewater delivered and treated locally instead of transporting through City across the Bay to Redwood City
- Encourages business to dispose of wastewater properly

1. Desirable for public convenience/welfare

- Financial benefits
 - Discharge fees in addition to preexisting sewer fees (double revenue stream)
 - Estimated 100,000 gallons/day, or 13,369 cubic feet
 - Rate: \$4.92/100 cubic feet
 - 260 business days
 - Estimated additional revenue is \$171,672 per year
 - Applicant has offered to pay 50% higher fee (\$7.38) for discharged wastewater from Hayward or other sources
 - Additional \$85,836, for a total of \$257,508 per year
- Partnership with California State East Bay through internships

2. Not impair character/integrity of zoning district

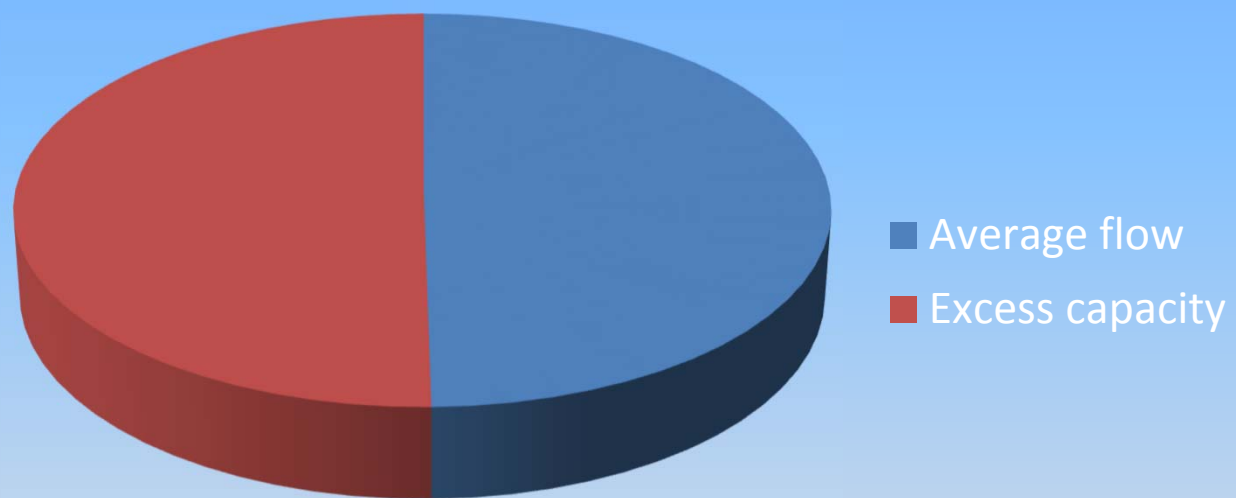
- Located in Industrial District
 - Compatible with industrial uses
 - Reduces path of travel for wastewater from industrial uses
- Facility decreases likelihood of environmental contamination

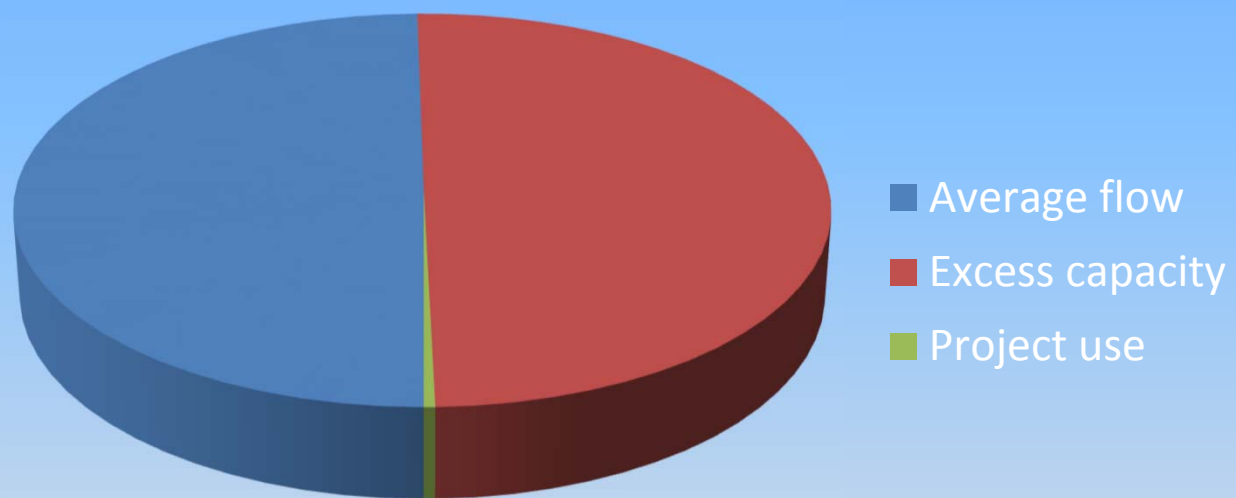
2. Not impair character/integrity of zoning district

- Decreased risk to City's Water Pollution Control Facility
- Extensive screening before release
 - Profiling
 - Chemical analysis
 - Pretreatment sampling/testing
 - Post-treatment sampling/testing
 - Final release requires manual valve

2. Not impair character/integrity of zoning district

- Process is duplicative of City Facility screening
 - Alternative: business improperly discharges wastewater directly to City Facility
- Minimal impact on City capacity
 - Capacity of City Facility is 18.5 million gallons per day (MGD)
 - Current average use is 9.3 MGD
 - Projected flow from proposed facility: 0.075 MGD
 - Less than 1% of excess capacity





3. Not detrimental to public health, safety, welfare

- Not detrimental: does not increase contamination
- Beneficial: provides low-cost local option for treatment of wastewater

4. In harmony with applicable City policies and intent/purpose of zoning district

- Protects baylands from improper sewage
- Ensures compliance with NPDES permit by ensuring treatment of wastewater prior to release to City Facility
- Promotes sustainable business practices
- Promotes City as supportive of businesses

Necessary Findings for AUP

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