



Wastewater Hearing Authority Minutes
Meeting: September 14, 2017

Attendees: Dr. Edward Thackston, Jay Tant, Ruth Cherry, David Gilles, Tara Ladd, Jim Snyder, Marty Mast, Ted Taylor, Byron Ross (Monitory and Management Services-contractor for Metro from the FOG Program), Nathan Wright (Monitory and Management Services-contractor for Metro from the FOG Program), Hugh Garrison, Andy Welch, Chase Block, Al Pogue, Sam Mirakhunedou (Marco Polo), Miraziz Mirabidou (Marco Polo), and Teresa Lyons-Oten

- I. **Meeting Called to order @ 1:33 p.m.** Dr. Thackston called the meeting to order.

- II. **Review and Approval of MWS Wastewater Hearing Authority Minutes.** After review of minutes Jay Tant noted a change to be made Item V, “word should be defoaming”. A motion to approve the correction was unanimously accepted.
Presenter: Dr. Edward Thackston, WWHA

- III. **Sperry’s Restaurant – Request for Hearing – Appeal of Order and Assessment**
Dr. Thackston, Chairperson, MWS WWHA, requested presenter to provide some background history related to this particular business. Andy Welch, MWS, referenced that this has been an ongoing issue since 2004 and the grease control equipment has always been insufficient to meet our requirements. A resolution for the entire period of time in some form or another has been in process. According to Nathan Wright, Monitor and Management, several non-compliance notices have been issued since 2004 with responses from Sperry’s that they are going to get certified. The crux of the problem is that they need a 1,000 gallon grease interceptor. Sperry’s concern is expense of \$100,000 to put in a new grease interceptor. Additionally, they are in the flood plain and the interceptor would lie in the flood plain. According to Andy Welch, a few years ago they upgraded their system but it does not meet MWS requirements for such a facility. MWS has developed dialogue with the ownership and we believe there is a reasonable opportunity to come to an agreement. Hugh Garrison, MWS, stated the ordinance prohibits discharging anything that causes obstruction to POTW, and there is no grandfather in on that discharge. At the time continuance was requested, Andy Welch, MWS, reported currently no blockage. Dr. Thackston pointed out the Authority decided a few years ago the slowness of these types of situations that enough is enough, and directed MWS to begin moving forward to address such



issues for the benefit of the public and the benefit of the Authority. The question was posed by David Gilles, member, MWS WWHA, “What does a continuance do to this notice of violation?” Dr. Thackston responded it would hold it in abeyance. Sperry’s Restaurant was granted a continuance to the next meeting and the vote was unanimous. **Presenter: Andy Welch, MWS**

IV. Marco Polo’s Pizza-Show Cause Hearing-Failure to Respond to Order and Assessment. The primary reason for this establishment being brought before the Authority is Marco Polo’s Pizza grease interceptor. Nathan Wright, Monitoring Management Services, presented some facts related to pictures that were provided to the Authority. He stated there is grease in the primary chamber of the grease pit, and some kind of tree or something that appears to be growing out of the grease. The only opening was a 4” diameter cleanout cover. MWS requirement is for a two-manhole access, two-chamber grease interceptor that has a clean out on the inlet and outlet side. Basically this system does not have that– it has never met our (MWS) requirements. As stated by Andy Welch, this location was previously a Church’s Chicken, which went out of business with this same noncompliance or letter on them to respond to. The interceptor has reached the end of its useful life. Also, MWS Stormwater Division has been made aware of the issue, and the establishment was told MWS Stormwater would take corrective actions if it wasn’t addressed. It was addressed several days later but now the cleanout has a hole in it, and MWS will be asking Marco Polo to replace that because of potential infiltration from the storm water into the sanitary sewer. This establishment has consistently failed to provide maintenance records and every time we visited establishment management was not available. Mr. Welch requested that as part of the failure to respond order and assessment that the establishment is assessed a \$500 penalty, if establishment/management does not cooperate in the future. Marco Polo was granted a continuance to the next meeting and the vote was unanimous. **Presenter: Andy Welch, MWS**

V. Approved Grease Waste Hauler Program. Andy Welch presented information related to this agenda item. The body previously approved the Waste Hauler Program, and the next step is approving the enforcement response time. After discussion amongst the Authority, all grease waste haulers will need a copy of the Enforcement Response Guide and will be expected to follow the rules. The guide should be sent to all approved haulers via registered mail. They will be required to sign the agreement to become an approved waste hauler. The agreement will be sent to the Director of Metro Water Services for signature and also the Chairperson of the Waste Water Hearing Authority will be required to sign. The final agreement,



policy and enforcement guide will be sent to all approved grease waste haulers.

Presenter: Andy Welch, MWS

VI. FOG Enforcement – General Update. Andy Welch, MWS, provided an updated list for a couple of dozen establishments that are considered the most pressing. They are as follows:

- **Sperry's**-Update has been provided.
- **Logan's Roadhouse**-preparing a proposal to install a new grease interceptor. Grease interceptor is too small.
- **Olive Garden**-installed a 2,000 gallon grease interceptor a couple of weeks ago.
- **Dragon Phoenix on Elm Hill Pike**-agreed to install a new grease interceptor in the spring.
- **Richland Country Club**-received a proposal to install some kind of new grease control equipment. Andy Welch stated he has not had an opportunity to review.
- **China Spring**-received an agreement to install something last month, and a formal proposal was received the week of Authority meeting. Again, Andy Welch has not had an opportunity to review.
- **South Street**- in discussion with management regarding an upgrade of their grease control equipment.
- **Ms. Saigon**- will revisit establishment once Lucky Bamboo located next door issues have been resolved.
- **K & S World Market**-it is believed they shared a grease interceptor and owned a grease interceptor that was also shared by Lucky Bamboo, which is a restaurant right next door. K & S Market is a grocery store-big international market.
- **Lucky Bamboo**-standard Chinese restaurant. K & S Grocery proved to our satisfaction that grease interceptor is used by their tenant Lucky Bamboo, and they are completely responsible for the contents of it. They have a decent-size interceptor, and it may be a question of maintenance.
- **Marco Polo**- Update has been provided.
- **Pie Wagon**-enforcement escalation pending.
- **Midtown Café**-enforcement escalation pending.
- **Athens Family Restaurant**-enforcement escalation pending.

The final three establishments mentioned above are considered delinquent to the point that they need possibly a notice of violation, probably an order and assessment. MWS Environmental Compliance Office is working on the process.



- **Las Cazuelas Mexican Restaurant**-resolved-they have a 1,000 gallon grease interceptor. This establishment has decided they wanted to expand. Presented a proposal which is being considered if they install the appropriate-size grease interceptor, otherwise proposal would not be approved.
- **Ed's Fish and Pizza**-they were visited by MWS Environmental Compliance, and MWS is ready to move forward with enforcement action. It has not been determined exactly which direction, but still having problems.
- **Cock of the Walk, Scoreboard Bar and Grille and John A's**-Chase Block, MWS, Environmental Compliance Office, has initiated conversations with these establishments and we are hoping to hear from them. Otherwise, we will proceed with escalation.

Dr. Thackston stated that in the future the Authority is requesting an updated report identifying the more serious problems, and that something is being done. At least being visited and telling them (establishments) to do something. **Presenter: Andy Welch, MWS**

- VII. Dental Amalgram Program**-Ted Taylor, MWS, explained the history of this new regulation. Effective June 14, 2017, the regulation came out to be enforced, and to begin enforcement on July 14, 2017. This regulation can be located on MWS website: <http://www.nashville.gov/Water-Services/Environmental-Compliance.aspx>. The EPA assigned dental offices a category within the pretreatment regulation. They are 40CFR441. This regulation affects all dental office whether they are exempt, nonexempt, new source, existing source, everybody has to at least apply to the program. MWS targeted every dentist in Davidson County and in the surrounding satellite cities. A mass mail out was sent to them including the application and information on how to apply. Four hundred ninety-six dental offices received the information, and 55 dental offices have returned the application. **Presenter: Ted Taylor, MWS**
- VIII. Pretreatment Audit Results**-Jim Snyder, MWS, requested that Ted Taylor, MWS, summarize the State of Tennessee pretreatment audits. "Overall Metro Water Services appear to have an excellent pretreatment program. The files were very well organized, and your staff appears to have an outstanding working relationship with the industries. We appreciate the cooperation, hospitality shown during the inspection. Please provide to this office by October 16, 2017, a written description of the actions the staff will take to address these comments." Per Ted Taylor, they have already addressed a lot of the comments.



- IX. **Other Business**-Jim Snyder, MWS, informed the Authority that Hugh Garrison, MWS Environmental Compliance Office, will be retiring on the 22nd of September, 2017, after 38 years of service. **Presenter: Jim Snyder, MWS**

- X. **Meeting was Adjourned**- 3:00 p.m.