



[Redacted]

October 11, 2019

PHONE: [Redacted]

[Redacted]

REF # 999-004
Property: StormFog Test Site 3
Address: 123 Kent Drive

Dear Property Owner,

RE: Preventing Illicit Discharges into Kent's Municipal Separate Storm Sewer System ("MS4")

You are receiving this letter because you either own property, lease property, or have conducted work on property within the City of Kent from which stormwater discharges to the City of Kent's municipal separate storm sewer system (MS4). The MS4 includes streets with drainage systems, stormwater drain inlets, catch basins, ditches, stormwater ponds, and bio-infiltration swales. This letter is informational only; the City is unaware of any current violation that exists on your property and/or business.

Kent staff regularly encounters individuals and businesses that illegally discharge or allow the discharge of pollutants to the MS4. These violations often result from a lack of knowledge regarding the impacts pollution has on you, the environment, aquatic life, and public resources, rather than from deliberate or intentional acts. However, Chapter 7.14 of the Kent City Code (Illicit Discharges) prohibits the discharge of pollutants and non-stormwater into the MS4. Materials and substances that cannot be discharged to the MS4 include without limitation fats, oils, and grease; degreaser; detergent; dirt; and bark or other fibrous material. Additionally, the discharge of pollutants and non-stormwater to parking lots or private catch basins which then drain to the MS4 is also illegal. A copy of the illicit discharge code provisions are enclosed for your information.

The illicit discharges code requires the use of best management practices (BMPs) to prevent illicit discharges. Proper utilization of BMPs will help you avoid causing an illicit discharge. This letter specifically highlights BMPs that are required for hood vent and exhaust cleaning, as well as pressure washing activities. Non-structural BMPs should always be used during these activities and include good housekeeping practices, preventative maintenance procedures, spill prevention and cleanup, employee training, and regular inspection of pollution sources. Activity-specific BMPs vary depending on the type of work being conducted, but include the following:

Hood vent and exhaust cleaning BMPs:

- Dispose of fats, oils, and grease and chemical-containing wastewater produced from the cleaning process into an indoor drain that is routed through the facility's grease trap, interceptor, or other authorized device that removes fats, oils, and grease.
- Prior to routing through grease traps and interceptors, the wastewater must be cooled and strained to remove solids.
- After routing the wastewater through the fats, oils, and grease removal device, the removal device must be cleaned.
- After cleaning is complete, the rooftop fats, oils and grease containment device must be cleaned. If applicable, components such as absorbent filters, must be replaced with new.
- If the facility does not have a grease trap, interceptor, or other authorized removal device, collect





[Redacted]

October 11, 2019

all fats, oils, and grease and chemical-containing wastewater produced from the cleaning process and dispose of it at an approved off-site disposal facility. A bill-of-lading or other receipt of disposal at an approved facility must be retained or emailed to the City as proof of proper disposal.

Pressure washing BMPs:

- Do not use detergents or any other chemicals while pressure washing outside. If detergents or chemicals are used, collect all chemical-containing wastewater produced from the cleaning process and dispose of at an approved off-site disposal facility. A bill-of-lading or other receipt of disposal at an approved facility must be retained as proof of proper disposal.
- Runoff that is free of chemicals and detergents can be directed to grass or gravel areas, through a catch basin insert, or pumped to a drain inside the facility that discharges to the sanitary sewer system after solids are strained or removed.

Again, the City is aware of no present violation that exists for your property and/or business. The sole purpose of this letter is to make you aware of the current code provisions that apply to activity conducted on private property that may impact the MS4 and violate Kent City Code.

If a violation occurs, the property owner, the property tenant, and any other person responsible for an illicit discharge, the entry of pollutants into the MS4, or the failure to utilize reasonable BMPs to protect against an illicit discharge, may be jointly and severally liable for both civil and criminal penalties, including up to 90 days in jail and a \$1,000 fine under KCC 7.14.050, KCC 7.14.150, and KCC 7.14.160. Under joint and several liability, the City may pursue enforcement action against any one or all responsible parties. In addition to these penalties, the City of Kent will also seek to recover all clean-up costs associated with the pollution under KCC 7.14.150.A. and KCC 1.04.230.B. As you can see, the possible penalties that may be imposed for a violation are significant.

Finally, if you conduct business or provide services within the City of Kent, you must obtain a general business license from the City of Kent under KCC 5.01.040. This business license requirement applies even if you offer a mobile service whose principal office is located outside the City of Kent, but you travel and provide your services within Kent's jurisdiction. Conducting business within the jurisdiction of Kent without a general business license is a violation that may result in the imposition of both criminal and/or civil penalties, including up to 90 days in jail and a \$1,000 fine under KCC 5.01.190. If you would like additional information or need to obtain a general business license, please contact the Customer Services Division at 253-856-5200.

Should you have any questions regarding this letter or your duties and obligations under Kent City Code and its illicit discharge provisions, please contact Heather Martin at (253) 856-5642.

Sincerely,

Heather Martin, Conservation Coordinator

