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City Manager's Office

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Kerrie Romanow

SUBJECT: CAR WASH EVENTS

DATE: November 4, 2013

Approved

Date

11/7/13

INFORMATION

The purpose of this memo is to provide the Council with background information related to the recent media coverage of the City's policy regarding fundraiser car wash events.

The Federal Clean Water Act requires the City to operate under a National Pollutant Discharge Elimination System (NPDES) Permit for the discharge of stormwater to surface waters via the City's storm sewer collection system. San José is one of 76 agencies regulated by the Municipal Regional Stormwater NPDES Permit (MRP) adopted by the Regional Water Quality Control Board in 2009. The MRP requires the City to reduce the discharge of pollutants in stormwater and effectively prohibit non-stormwater discharges into the municipal storm sewer system to protect local waterways and the Bay. The MRP requires permittees to administer programs to address specific stormwater pollutants such as Mercury and PCBs; implement low impact development requirements, and respond to reports of illicit discharge to the storm sewer system.

Water enters the City's storm sewer system through more than 30,000 storm drain inlets throughout the City and is conveyed without treatment to local creeks, streams, and ultimately the Bay. This water is composed of rainfall, irrigation water, and other water used outdoors. It collects pollutants as it flows across rooftops, sidewalks, driveways, streets, landscaping, and other outdoor activities, such as car washing. The storm water conveyance system differs from the sanitary system in that latter flow is directed to and treated by the City's Regional Wastewater Facility prior to discharge to the Bay.

Car wash events are a concern because of the potential negative environmental impacts associated with them. Water from car washes not only contains dirt and soap, but also oil, grease, and metals such as copper and nickel. When washing cars in a parking lot, this toxic wash water flows into storm drains and goes directly to creeks. The pollutants contained in this water can destroy aquatic habitat and kill fish. For this reason, all Bay Area cities regulated by the MRP prohibit the discharge of car wash water down storm drains.

Car wash events differ from individual residential car washing because of the larger volume of waste water generated that can present an associated greater threat to the local creeks. The MRP exempts individual residential car washes from the prohibition of non-stormwater discharges to

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the storm sewer system. Bay Area cities work collaboratively to educate and encourage residents to implement best management practices. These practices include directing car wash waters to landscaped areas, using as little detergent as possible, and washing cars at commercial car washing facilities. Water from commercial car washes does not drain to the storm sewer system and directly to local creeks. Additionally, commercial car washes often recycle water and treat it prior to discharging it to the sanitary sewer.

Recently, the City of San José received and responded to two complaints from members of the public regarding fundraiser car wash events hosted by Lincoln High School. ESD staff responded to the complaints by contacting Lincoln High School and the San José Unified School District to provide them with information on preventing pollutants from entering storm drains, and offer recommendations regarding best practices for school car wash events. Lincoln High School subsequently canceled their fundraiser car wash event scheduled for October 20.

In response to the media coverage surrounding this issue, ESD has responded to numerous phone calls and emails from individuals and media outlets. In all instances, ESD reiterated the City's goals to protect the environment, our regulatory obligations in adhering to the state requirements, provided best management practices to conduct car washes, and clarified that the restrictions do not apply to individual resident car washing. Furthermore, ESD has taken the following actions:

- Conducted additional outreach to Lincoln High School administration and San José Unified School District staff to provide best practices information that would allow them an opportunity to still conduct their car wash fundraisers;
- Preparing to distribute an article about using best practices methods when conducting car wash fundraisers with all school districts in the City; and
- Collaborating with Lincoln High School's Environmental Services teacher to dovetail environmental messages into the curriculum, if applicable.

Recognizing the need and value of such events, ESD is exploring ways to better support fundraiser car washes. ESD will promote alternate carwash fundraiser approaches, such as partnering with local commercial car washes to conduct fundraiser car washes at their facilities, or selling car wash tickets. Such models have been utilized by some organizations and may prove to be beneficial to other non-profit organizations and commercial car washes. ESD will also evaluate the possibility of implementing a program to lend car wash kits to non-profit organizations wishing to conduct car wash events, to better manage the runoff in a more environmental friendly and compliant manner.

It is important to note that the City is committed to the protection of our natural resources and will develop guidance to prevent the discharge of polluted water to our creeks and waterways.

/s/

KERRIE ROMANOW

Director, Environmental Services

For questions, please contact Napp Fukuda, Deputy Director, at (408) 945-5353.

