

CITY OF ANGUS, TEXAS
ORDINANCE NO. 94

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGUS, TEXAS WHICH REGULATES MACHINERY AND THE OPERATION OF MACHINERY, EQUIPMENT AND PROCESSING AT RENDERING PLANTS THAT ARE LOCATED WITHIN THE CITY LIMITS OF THE CITY OF ANGUS AND WITHIN ONE MILE OF THE CITY LIMITS; PROVIDING A \$500 PENALTY PER DAY FOR EACH VIOLATION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS rendering plants process animal by-products and grease that often contain pathogens;

WHEREAS rendering plants emit odors that often cause health problems such as nausea, headaches, and fatigue;

WHEREAS rendering plants emit odors that can cause more serious health problems in persons with pre-existing respiratory problems;

WHEREAS regulations of odors emitted off the property of a rendering plant will reduce human health problems related to rendering plants;

WHEREAS rendering plants can attract vectors that can transmit disease;

WHEREAS proper ventilation of the air within a rendering plant can limit the opportunity for vectors to reproduce;

WHEREAS proper ventilation and of air within a rendering plant and proper treatment of that air can limit the emissions of odors off the property of a rendering plant;

WHEREAS containing the unloading of animal by-products and grease within the rendering plant will limit odors and prevent vectors from being released into the community;

WHEREAS spillage of animal by-products and grease can create human health risks due to pathogens, vectors, and rodents;

WHEREAS proper operation and maintenance of pollution control machinery will limit public health problems related to odors from a rendering plant;

WHEREAS regulations that limit the reproduction and escape of
vectors from a rendering plant will protect public health;

WHEREAS the Texas Legislature has recognized that rendering
plants within the city limits and within a mile from a municipality
may create health hazards for residents of that municipality; and

WHEREAS the Texas Legislature has given municipalities the
authority to regulate the equipment and manner of operation of
rendering plants within the city limits of the municipality and
within one mile of the city limits in the Local Government Code §
215.003;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF ANGUS, TEXAS THAT THE CITY OF ANGUS HEREBY ADOPTS THE FOLLOWING
REGULATIONS FOR RENDERING PLANTS LOCATED WITHIN THE CITY LIMITS OR
WITHIN ONE MILE OF THE CITY LIMITS OF ANGUS, TEXAS:

ARTICLE 1. General Regulations

The following requirements shall apply to any rendering plant which
is or may be located within the city limits and within one mile of
the city limits of the City of Angus that process for commercial
usage the proteins and fats from animal and poultry sources, in
whole or in part, such as their by-products.

1. The plant and grounds shall be kept in a sanitary manner.
2. The materials coming into the plant and the waste products
from the plant shall be handled in such a manner as to prevent
stream, water or soil pollution.
3. The arrangement of the rendering plant and the operational
procedures shall be such that there shall be no contamination of
any finished product.
4. The plant shall have an emergency response team whose
function is to clean up spillage of animal by-products and
grease within the city limits of Angus and within one mile of
the city limits. Those hauling the animal by-products and
grease shall be required by the plant to report any spills to
the plant immediately, and the response team shall clean up the
spill within two hours of the spill. The team shall also

respond to any citizen and city complaints regarding a spill within two hours.

5. The rendering facility shall be operated to control mosquitos, flies and rodents as public health hazards.

6. Trucks carrying animal by-products shall be covered with non-permeable truck covers to contain odors and prevent spillage.

7. Barrels of grease coming into the plant shall be tightly sealed to prevent spillage.

8. Trucks and railroad cars carrying inedible animal by-products and/or grease shall not be parked outside the indoor receiving area for more than two hours.

9. Trucks and railroad cars waiting to make delivery outside the plant shall not create an odor intensity in the ambient air over a period of thirty minutes with a geometric average OIRS (Odor Intensity Referencing Scale) value of 3.0 or greater. The OIRS is found in ATSM E544-75,88, *Standard Practice for Referencing Suprathreshold Odor Intensity*, American Society of Testing and Materials, Philadelphia, PA, April 1988.

10. Local soil conditions and ground water shall be considered in all operational practices such as truck washing, machinery washing, wastewater treatment, solids storage and disposal and materials handling. Spillage of all raw materials, solids, dust and liquids shall be immediately contained and collected with appropriate methods.

11. The plant shall use machinery that complies with all federal and state health and environmental requirements.

12. Inedible animal by-products and/or restaurant grease shall only be unloaded after the truck(s) or railroad car(s) shipping the by-products and/or grease have entered the entirely closed and tightly closed building after the doors of the building have been closed. The entirely closed and tightly closed building in which the by-products and grease are received shall be ventilated so that:

(a) all air, gases, and air or gas-borne material are treated by incineration or other effective means (two stages of

before being chemically scrubbing) before being emitted into the open air through a well defined exhaust stack of sufficient height to comply with U.S. Environmental Protection Agency's Good Engineering Practice stack height design,

(b) the number of room air changes per hour (ventilation rate) in the receiving area exceeds 15, and

(c) the negative pressure within the building is sufficient to confine odor-bearing gases, vapors, fumes, or dust arising from materials on the trucks, in barrels, and in the receiving hoppers, vessels, and conveyors.

13. Trucks shall be thoroughly washed, scrubbed and sterilized within 30 minutes of unloading materials and before leaving the facility's immediate property.

14. Barrels shall be thoroughly washed, scrubbed and sterilized within the entirely closed and tightly closed building, and all odor-bearing gases, vapors, fumes, or dust arising from the barrel washing shall be treated by incineration or other effective means (two stages of chemical scrubbing) before being emitted into the open air through a well defined exhaust stack of sufficient height to comply with U.S. Environmental Protection Agency's Good Engineering Practice stack height design.

15. No person shall operate or use any device, machine, equipment, or other contrivance for the thermal reduction of animal matter (cookers) unless all non-condensable gases, vapors, and gas-entrained effluents (high intensity odors) from such processes are incinerated at a temperature of not less than 1,500 degrees Fahrenheit for a period of not less than 0.3 seconds, or at a temperature of not less than 1,200 degrees Fahrenheit for a period of not less than 1.0 seconds. Devices for indicating temperature, pressure and other operating conditions shall be provided, properly installed and maintained in good working order and in operation.

16. No person shall operate or use any device, machine, equipment, or other contrivance for the processing of thermally reduced animal matter (cooked material) unless all gases, vapors, and gas-entrained effluents arising from such processes are confined at the point of origin and effectively treated in

three stages of wet chemical absorption (venturi scrubber followed by two stages of packed tower scrubbers) before being emitted to the atmosphere through a well defined exhaust stack of sufficient height to comply with U.S. Environmental Protection Agency's Good Engineering Practice stack height design.

17. The room air of the entirely closed and tightly closed building shall be ventilated in accordance with the following Ventilation Schedule for Rendering Plant Process Areas so that all air, gases, and air or gas-borne material are treated by a single-stage wet chemical absorber (packed tower scrubber) before emission to the atmosphere through a well defined exhaust stack of sufficient height to comply with U.S. Environmental Protection Agency's Good Engineering Practice stack height design.

Ventilation Schedule for Rendering Plant Process Areas

<i>Process Area Category</i>	<i>Number of Room Air Changes per Hour</i>
Batch Rendering System Area	40
Continuous Rendering System Area	20
Grease Melting and Processing	20
Raw Material Storage and Handling	15
Fat Processing	10
Protein Meal Milling and Conveying	10
Fat Storage	5
Protein Meal Storage	5

18. Wastewater produced by the rendering processing shall be pretreated using appropriate methods and operations (dissolved air flotation) to remove grease, oil and solids materials before biological treatment in properly designed basins. The pretreatment machinery and operations shall be conducted within the entirely closed and tightly closed building with all odor-bearing gases, vapors, fumes, or dust treated by a two-stage wet chemical absorber (packed tower scrubber) before being emitted to the atmosphere through a well defined exhaust stack of sufficient height to comply with U.S. Environmental Protection Agency's Good Engineering Practice stack height design.

19. The residual odorous emissions from exhaust stacks and all treatment devices shall not exceed a detection threshold value of "50" as defined by ASTM (American Society for Testing and Materials) Designation E679-91, Standard Practice for Determination of Odor and Taste Thresholds By a Forced-Choice Ascending Concentration Series of Limits using an IITRI (Dravnieks) Dynamic Dilution Forced-Choice Triangle Olfactometer. The Odor Evaluation Panel shall be managed in accordance with ASTM STP 758, Guidelines for the Selection and Training of Sensory Panel Members and ANSI/ASQC Q2-1991, Quality Management and Quality System Elements for Laboratories.

20. In order to prevent contaminated rainwater runoff or runoff from wastewater from over-irrigation, rendering plants that dispose of wastewater by using irrigation must design, construct and maintain berms adequate to prevent runoff of contaminated rainfall and wastewater from getting into the water course. Any contaminated rainwater or wastewater collected by the berm shall be returned to the lagoon as quickly as possibly so as to prevent runoff into the water course.

21. Effective devices and measures shall be installed and operated on machinery such that no vent, exhaust pipe, blow-pipe, or opening of any kind shall emit into the outdoor air any untreated odorous matter, vapors, gases, dust, or any combination thereof which create odors or other nuisances off the property of the plant or which create an odor intensity in the ambient air over a period of thirty minutes with a geometric average OIRS (Odor Intensity Referencing Scale) value of 3.0 or greater. The OIRS is found in ATSM E544-75,88, *Standard Practice for Referencing Suprathreshold Odor Intensity*, American Society of Testing and Materials, Philadelphia, PA, April 1988.

22. Effective devices and measures shall be installed and operated on the wastewater treatment process such that no wastewater treatment or irrigation shall emit into the outdoor air any untreated odorous matter, vapors, gases, dust, water or any combination thereof which create odors or other nuisances off the property of the plant or which create an odor intensity in the ambient air over a period of 30 minutes with a geometric average OIRS (Odor Intensity Referencing Scale) value of 3.0 or greater. The OIRS is found in ATSM E544-75,88, *Standard Practice for Referencing Suprathreshold Odor Intensity*, American Society of Testing and Materials, Philadelphia, PA, April 1988.

ARTICLE 2. General Penalty for Violations

That any person, firm, corporation or entity violating this ordinance shall be guilty of a misdemeanor and said offense is punishable by fine in any sum not to exceed five hundred dollars (\$500.00) per day for each offense.

ARTICLE 3. Severability Clause

If any article, section, or provision of this ordinance or its application to any person, firm, corporation or other entity or circumstance is held invalid, the invalidity does not affect other provisions or applications or the ordinance that can be given effect without the invalid provision or application, and to this end the provisions of the ordinance are severable.

ARTICLE 4. Conflicting Ordinances Repealed

That all ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.

ARTICLE 5. Effective Date

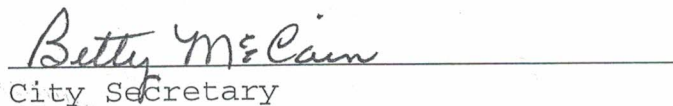
This ordinance shall take effect immediately upon its passage and publication as the law requires.

PASSED and APPROVED this the 20 day of February, 1996.


Mayor


Mayor

ATTEST:


City Secretary

Section-by-Section Analysis
Rendering Plant Regulation

History: In 1959, the Texas Legislature gave municipalities the authority to regulate rendering plants. The House adopted the statute 142-2, and the Senate vote was 30-0. The 1959 legislation allowed municipalities to adopt regulations of rendering plants "[f]or the purpose of protecting its residents from health hazards arising from unsanitary conditions which may exist in conjunction with" rendering plants. Ch. 269, Tex. Session Laws, 56th Tex. Leg., Reg. Session, 1959.

In 1987, the legislature rewrote this section when it adopted the Local Government Code. The redrafted statute broadened the authority of municipalities to allow a municipality to regulate rendering plants "[t]o protect residents of a municipality from health hazards relating to unsanitary conditions that may exist in connection with rendering plants." Ch. 149, § 1, § 215.003, Tex. Session Laws, 70th Leg., Reg. Session, 1987.

Statutory Authority: The Texas Local Government Code § 215.003 provides as follows:

To protect residents of a municipality from health hazards related to unsanitary conditions that may exist in connection with rendering plants, the municipality by ordinance may regulate the equipment and manner of operation of rendering plants located within the limits of the municipality or within one mile of the limits.

Health Hazards Associated with Rendering Plants: Rendering plants can create a number of health hazards for communities. Rendering plants receive and process animal by-products and grease, which often contain pathogens. It is important all measures be taken to prevent exposure to these pathogens and the spread of the pathogens by vectors.

Vectors, such as flies and mosquitos, are attracted to and breed around the by-products and grease. Proper ventilation of the plant can limit the potential breeding ground for the vectors. Proper ventilation is important because grease and animal wastes can accumulate on the walls of an improperly ventilated rendering plant and become a breeding ground for vectors. Further, the release of the vectors into the community can be limited by requiring that trucks unload the by-products and grease within the contained rendering plant. Finally, the rapid clean-up of spills will prevent vectors from swarming around animal by-products and

grease and consequently accumulating in the community.

Rodents are an additional health issue for communities. Rodents are attracted to the animal by-products. A sanitary plant that is well ventilated will be less likely to attract rodents. Further, the rapid clean-up of spills will prevent rodents from feeding on animal by-products and grease and consequently accumulating in the community.

Rendering plants use large quantities of water. It is important that the wastewater coming from the plant be properly treated and be discharged in such a manner so as not to contaminate surface or groundwater. Further, if lagoons and irrigation are used as a method of wastewater disposal, it is important that appropriate equipment be used to prevent odors from reaching off the property to affect the health of neighbors. As explained below, odors can cause human health problems.

Finally, rendering plants emit odors that can cause human health problems. The most common health problems are nausea, headaches and chronic fatigue. For persons with pre-existing respiratory ailments, such as asthma, bronchitis, and emphysema, the odors can exacerbate that condition. The operation and maintenance of appropriate technology, the use of appropriate ventilation techniques, and the design and operation of a tightly sealed plant to reduce the emission of odors will protect human health.

Resources Used for this Ordinance: The sources used for drafting this ordinance include the "Air Pollution Engineering Manual," drafted by the Air and Waste Management Association, "Suggested Construction and Operational Techniques for the Development of Good Sanitation Practices in Texas Rendering Plants," Texas Department of Health, and regulations from the state of Minnesota regarding rendering plants.

Section-by-Section Analysis:

Section One.

Self-explanatory.

Section Two.

Self-explanatory.

Section Three.

Self-explanatory.

Section Four.

The purpose of this section is to have spills reported and cleaned up immediately. This will prevent the attraction of vectors and rodents and the possible contamination of soil and water. The spills should be cleaned up by a truck that does not contain by-products or grease so that a truck containing by-products and/or grease is not parked for a long period of time emitting odors within the community.

Section Five.

Self-explanatory.

Section Six.

Non-permeable covers will contain odors.

Section Seven.

Self-explanatory.

Section Eight.

Trucks and railroad cars parked outside the indoor receiving area can be a source of strong odors. Further trucks and railroad cars can attract vectors and rodents.

Section nine.

If the odors of a truck or railroad car are particularly strong (which could occur because the truck or railroad car contains animals dead more than 24 hours), or if the number of trucks or railroad cars produce emissions of sufficient concentration, the two hour limit of parking may not prohibit nauseating odors from going off the property line. This section addresses the odors that can be detected from trucks and railroad cars awaiting unloading. The source for this section is the American Society of Testing and Materials.

Section ten.

Self-explanatory.

Section eleven.

Self-explanatory.

Section twelve.

To prevent odors and attraction of vectors and rodents, trucks and railroad cars should be unloaded within the plant. The air within the plant is required to be under negative pressure.

Otherwise, when the doors of the plant are opened, odors and vectors will escape into the ambient air. The ventilation rate ensures the appropriate negative pressure. Finally, treatment of this air is required before it is emitted into the ambient air through a stack.

Section thirteen.

The need for rapid cleaning is to prevent attraction of vectors and rodents and to reduce the odors.

Section fourteen.

To prevent odors and attraction of vectors and rodents, barrels must be washed within the building. The air in which the barrels are washed is required to be vented to a treatment system (either an incinerator or two-stages of scrubbing) and emitted through a stack of appropriate height.

Section fifteen.

Cookers of animal by-products and grease produce high intensity odors. Cookers can operate erratically because of the change in products being cooked, such that they may "burp" on occasion or have an upset. The erratic nature of cookers means that a scrubber cannot respond quickly enough to such burps or upsets. A scrubber must adjust the pH to react to changes from the cooker and could allow high intensity odors to escape for 30 minutes to an hour. An incinerator, on the other hand, responds in seconds to burps and upsets, and will reduce the emission of high intensity odors. The state of Minnesota requires incinerators for high intensity odors in rendering plants.

Section sixteen.

After animal by-products and greased are cooked, they go through more processing, such as separation of grease from solids and drying of solids. These processes emit more odors, however, these processes are more steady than the cooker/boiler process. This means that the air from this process can be treated by three stages of scrubbing.

Section seventeen.

This section describes the appropriate ventilation for a rendering plant. The ventilation numbers are taken from the "Air Pollution Engineering Manual," by the Air & Waste Management Association, for the rendering industry. Proper ventilation reduces odors and limits opportunity for vectors to reproduce.

Section eighteen.

Rendering plants use large quantities of water and produce large volumes of wastewater. The wastewater can be highly odorous, attracting vectors and causing human health problems. This section requires the pretreatment of the wastewater to occur within the tightly closed plant. The emissions from that process will be treated by a two-stage scrubber before being emitted into the air.

Section nineteen.

This section states that odors from scrubber exhaust stacks may not exceed a level which is recognized as achievable by the industry.

Section twenty.

Rendering plants that use irrigation and lagoons to discharge wastewater can have run-off from the property due to high rains or over-saturation of the soil from over-irrigation. This section requires a plant that discharges wastewater with irrigation to build berms to contain surface water run-off. Further, run-off trapped by the berms must be pumped back to the lagoons. The purpose of this section is to prevent contaminated wastewater from entering water courses.

Section twenty-one.

This section requires a plant to control odors emitted from its machinery.

Section twenty-two.

This section requires a plant to control odors emitted from the wastewater treatment system, including the irrigation system.

Section twenty-three.

Self-explanatory.

Section twenty-four.

Severability clause.

02/22/96

I N V O I C E

No. ORD94

CORSICANA DAILY SUN
405 E COLLIN ST
PO BOX 622
CORSICANA, TX 75151-0622

000112340

CITY OF ANGUS
RR 3 BOX 3060
CORSICANA TX 75110

AFFIDAVIT ONLY

THIS IS NOT A BILL


DATE	DESCRIPTION	TC C	QUANTITY	UNIT	RATE	TOTAL
02/22/96	LGL-ORDINANCE 94	AD L	3.25	INCH	7.6400	24.83
02/23/96	LGL-ORDINANCE 94	AD L	3.25	INCH	7.6400	24.83

THE STATE OF TEXAS
COUNTY OF NAVARRO

BEFORE ME, the undersigned authority, on this day personally appeared GARY CONNOR, who being duly sworn, says he is the PUBLISHER of the Corsicana, Texas branch of American Publishing Management Services, Inc., publisher of the CORSICANA DAILY SUN, a daily newspaper published at Corsicana in said county and state and that the notice, a copy of which is hereto attached, was published in said newspaper on the dates listed above.

Gary Connor

SUBSCRIBED AND SWORN TO BEFORE ME, this the 4th day of MARCH 1996.

	BECKY S. LESTER
	NOTARY PUBLIC
	STATE OF TEXAS
	Commission Expires 4-18-97

Becky Lester

Notary Public in and for
the State of Texas.

AMOUNT DUE --> 49.66

903-874-8880

Hwy. 31



I-45

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'82 Executive Pleasure & ski boat 17'6", 170 in-board/outboard \$4,000. 874-4006, 654-4096.

14' Star Craft, aluminum V-bottom, Dually trailer, 18HP Evinrude. 874-4718/days 872-2317/nights.

18' Glastron ski boat. Walk thru, 140hp Johnson, stereo, gd. inter. runs gd. 874-3430.

95 ZX150 Skeeter, load- ed, \$15,995. 214-875-7304

Catamaran Sail Boat, Ready to sail, \$850. 874-4006, 654-4096

165 MOTORCYCLES ATVS

'83 Suzuki GS 1100L, shaft dr., 9900mi. Windshield. \$2500 OBO. 872-0846.

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15' camper, sleeps 4, stove, oven, sink. Good cond. 874-3430 after 5.

86 Komfort 5th Wheel, 36ft. Travel Trailer w/air, good cond., everything works. \$6,500/OBO. 903-673-2278.

Scamper Pop-up Camper \$500 874-4718/days, 872-2317/nights

173 TRUCKS, VANS & 4X4'S

1975 F150 PU extremely clean all original. 903-599-3020 after 5pm.

1979 1/2ton Chevy PU, 4x4, 350 engine, auto transmission. Good cond. \$3,700. 214-875-1755, 875-9789

86 Bronco II, 4wheel drive, excellent cond, good tires. 874-4006, or 654-4096

87 Nissan ExtCab, black good condition, 874-7805.

90 Chevy Black Dually 1ton 454, 4speed, goose-neck hitch, 120k, good cond, \$9,250. 903-673-2278.

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'92 Ford Fiestva, like new, economical, ac, Ssp. Hwy-Miles. Great School/work Car. \$3500. 872-4141 or 872-9047

1987 Toyota Camry, 1 owner, auto, air, new tires. Extra clean \$3,850. 874-7177.

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201 LEGALS

LEGAL ORDINANCE NO. 94

The following ordinance was passed and approved on the 20th day of February 1996 by the City Council of the City of Angus and is available in the City Secretary Office at the Angus Government Center. The ordinance caption reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF ANGUS, TEXAS WHICH REGULATES MACHINERY AND THE OPERATION OF MACHINERY, EQUIPMENT AND PROCESSING AT RENDERING PLANTS THAT ARE LOCATED WITHIN THE CITY LIMITS OF THE CITY OF ANGUS AND WITHIN ONE MILE OF THE CITY LIMITS; PROVIDING A \$500 PENALTY PER DAY FOR EACH VIOLATION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING CONFLICTING ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.
City Secretary Betty McCain

NOTICE OF SECOND PUBLIC HEARING City of Goodlow Texas Community Development Program

The City Goodlow will hold a public hearing on Thursday, March 14, 1996 at 7:00PM in regard to the submission of an application to the Texas Department of Housing & Community Affairs for a Texas Community Development Program (TCDP) grant. Topics of discussion will include the application for street and housing improvements in the downtown area of the city in the amount of \$250,000 and the estimated amount of funds pro-

201 LEGALS

posed for activities that will benefit low and moderate income persons. The application is available for review at City Hall from (10am-2pm). Citizens unable to attend this hearing may submit their comments to the City of Goodlow at POB 248, Kerens, TX 75144. Any persons requiring special assistance/services should contact City Hall at 903-396-7862 at least two working days prior to the meeting.

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of E.M. Sheppard, Deceased, were issued on February 8, 1996, in Cause No. 15481, pending in the County Court of Navarro County, Texas, to: JOE B. BROOKS.

The residence of the Independent Executor is Corsicana, Navarro County, Texas; the post office address is:

c/o: Barbara S. Moe
Attorney at Law
121 N. Main, P.O. Box 837
Corsicana, Tx.
75151-0837

All persons having claims against this Estate which is currently being administered are required to present them within the time and in the manner prescribed by law. Dated the 19th day of February, 1996.

DAWSON, SODD, MOE, JACOBSON & BEARD P.C.
121 N. MAIN, P.O. Box 837
Corsicana, Tx. 75151 903-872-8181 Fax 903-872-3654.

PUBLIC NOTICE CITY ACCEPTING APPLICATIONS FOR REHABILITATION ASSISTANCE

The City of Angus, Texas has received funds from the Texas Department of Housing and Community Affairs in order to provide financial assistance to low income homeowners in the City of Angus for the purpose of making repairs to their existing homes. The financial assistance will be in the form of forgivable loans. Selection of applicants will be based on pre-established qualifications and priorities established by the governing authority.

If you are interested in applying for this financial assistance, applications may be picked up in the office of City Hall during regular office hours.

Applications will be received at the above address until 5:00 p.m. March 8, 1996. If you have any questions, please call either Shad Wickstrom at (800)775-2633 or Betty McCain, City Secretary at (903)874-3513 during normal business hours.

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