

FOG Ordinance 8-11-08
An Ordinance Establishing Fats, Oils and Grease Limits,
Enforcement and Administrative Procedures

Whereas, the Clay Township Regional Waste District (District) is a collection and treatment utility for wastewater and sanitary sewage and has compliance responsibility under the National Pollutant Discharge Emission System (NPDES) and other environmental laws of the United States and the State of Indiana; and,

Whereas, the District by establishing a Fats, Oils and Grease (FOG) Management Program with enforcement procedures and maintenance requirements desires to prevent sanitary sewer blockage and obstruction from the contribution and accumulation of FOG in the sewage system, and reduce the costs and negative environmental impact such occurrences would create: and,

Whereas, the District desires to prevent the detrimental discharge of non-polar compounds derived from petroleum and mineral residue; and,

Whereas, the applicability of this ordinance pertains to all Industrial Users that use or generate FOG located within the District.

Now therefore be it ordained by the Board of Trustees of the Clay Township Regional Waste District, Indiana:

Definitions:

Certificate of Use and Occupancy - a certificate given to all FOG facilities which comply with the FOG ordinance, and includes a permit number.

Fats, Oils and Grease (FOG) - are compounds of one, two or three fatty acids, combined with a glycerol “backbone” and derives from the living cells of animal and vegetable matter, or non-polar compounds that derive from petroleum and mineral residue.

FOG Facility - any non-residential user that uses or generates FOG.

FOG Management Program - the program that is supported by this ordinance.

FOG Pretreatment Device - includes water-oil separators, grease traps, grease interceptors.

Grease Interceptor - a device generally located outside the facility which separates waterborne waste that derives from living cells of animal and vegetable matter from wastewater prior to the wastewater entering the sanitary sewer collection and treatment system.

Grease Trap - a device generally located inside the facility that separates waterborne waste that derives from living cells of animal and vegetable matter prior to the water exiting the trap and entering the sanitary sewer collection and treatment system.

Industry – any non-domestic source of discharge.

Non-compliance - a violation to this ordinance.

Notice of Violation (NOV) - a written document stating any violation to this ordinance for the information of the User in Non-compliance.

Pretreatment Compliance Specialist (PCS) - a member of the District’s staff responsible to implement the FOG management program.

User - under Ordinance 7-13-87, a person who introduces or discharges any substance into the sewage system, which may pertain to both the Owner and Occupant of real estate from which the substance is introduced or discharged.

Water-Oil Separator - a device which utilizes the difference in density between oil, petroleum products or chemical products, and water for removal.

Interceptors, Traps and Water-Oil Separators

1. All FOG facilities are required to have a FOG pretreatment device properly installed acceptable to the District and in accordance with this ordinance.
2. All FOG pretreatment devices shall operate as to comply with the District’s discharge limits.
3. Any FOG pretreatment device installation and maintenance shall be at the user’s expense.
4. Facilities which will be expanded or renovated to include a FOG facility, where such FOG facility did not previously exist, shall be required to install and maintain a grease interceptor, grease trap, or water-oil separator acceptable to the District and in accordance with this ordinance.
5. Existing FOG facilities shall be permitted to operate and maintain an existing FOG pretreatment device provided these are in proper operating condition as set forth with in this ordinance.
6. If the facility does not have plumbing connections to a FOG pretreatment device in compliance with the requirements of the District, the Director will require the facility to modify their current plumbing to comply with the District’s requirements.
7. All FOG pretreatment devices shall have adequate retention time at actual peak flow between the influent and effluent baffles to allow for any solids to settle or accumulate and floatable grease-derived materials to rise and accumulate and prevent discharge limit violations.
8. All grease traps will include flow regulators.
9. All grease interceptors shall include a Tee outlet with a maximum of 10 inches above the interceptor’s base.
10. The manufacturer’s recommended levels for solids and floating residue limits for proper separation efficiency must be followed.

11. If manufacturer's recommended levels are not available, no accumulation of animal and/or vegetable solid and/or floatable waste shall exceed twenty five percent (25%) of the total volume of the grease trap or grease interceptor.
12. No settled oils in the oil-water separator should be left to accumulate in excess of twenty percent (20%) of the wetted height of the oil-water separator, and no floating oil and grease in the oil-water separator should be left to accumulate in excess of five percent (5%) of the wetted height of the oil-water separator.
13. All FOG pretreatment devices must be located so that maintenance and inspections can be easily performed.
14. The use of automatic removal systems is permissible only upon prior written approval from the District.
15. A grease interceptor may be used by more than one facility if the capacity of the device is such that all the limits are met as established through this ordinance.
16. Water-oil separators and grease traps may not be shared by multiple facilities.
17. The District may make determinations on the adequacy of a FOG pretreatment device based on review of all relevant information regarding the performance of the device. The District may require repairs, modification or replacement of grease interceptors, grease traps and water-oil separators if in the District's opinion the device is not adequate to meet the requirements of this Ordinance.
18. If a grease interceptor cannot be installed readily or economically in a FOG facility, the District may approve a grease trap to be installed in the facility, at the owner's expense, on a trial basis. If the grease trap does not allow the discharge to meet FOG discharge limits, the owner of the facility will be required, at his expense, to install an interceptor in compliance with this ordinance.
19. A new multiuse/multivariable unit is required to have connections, acceptable to the District, to a FOG pretreatment device.

Interceptor and Trap Maintenance

1. The interceptor and grease trap shall be maintained at the User's expense.
2. The user shall maintain the interceptor or trap in order to not allow wastewater discharge concentration from their interceptor or grease trap to exceed any of the District's discharge requirements.
3. All grease interceptors and water-oil separators shall be serviced and emptied in order to maintain minimum design capability or effective volume of the grease interceptor as needed, but not less than every ninety (90) days.
4. All grease traps shall be serviced and emptied of accumulated waste content as required in order to maintain a minimum design capability or effective volume of the grease trap but no less than twice a week.
5. If the solid waste and grease reaches the allowable limit within the FOG ordinance, the pretreatment device shall be cleaned immediately.
6. The maintenance of an interceptor used by more than one facility shall be the responsibility of the owner of the interceptor.

7. The District may extend the ninety (90) calendar day grease interceptor pump out frequency, and the biweekly grease trap cleaning frequency if the User petitions the District for such modifications and provides data to substantiate the new schedule.
8. The District may shorten the ninety (90) calendar day grease interceptor pump out frequency or the biweekly grease trap cleaning when, in the opinion of the District, such frequency is insufficient to ensure the District's discharge levels.
9. If the FOG facility grease trap is cleaned by their staff, the staff shall dispose of the grease in the proper manner that does not cause problems to their solid waste service.
10. If the District determines the garbage disposal is a factor in the prohibited discharge of FOG, then the garbage disposal shall be connected to the grease trap, or grease interceptor, or removed from the facility.
11. The use of emulsifying chemicals or other agents to clean the grease trap is prohibited.
12. If the facility is using additives in the grease interceptor, grease trap, or water-oil separator that causes the facility discharge to be over the allowable limit, the facility will stop the use of additives immediately.

Reporting Requirements

1. All businesses and industry shall provide, on demand, to the District sufficient information to determine if it is a FOG facility.
2. The owner of the building shall notify the District, in writing, of changes regarding the facility's occupant, building usage, and/or new construction within 30 (thirty) days of the date the change takes place.
3. All FOG facilities must maintain written FOG pretreatment device maintenance records for three (3) years. All such records will be available for inspection by the District at all times. These records shall include: Facility's name and physical location; date and time of cleaning service; name of grease hauling company; name and signature of grease hauling company agent performing said service; established service frequency and type of service (full pump out, partial pump out, onsite treatment); number and size of each interceptor serviced; approximate amount of grease and solids removed from each grease interceptor; total volume of waste removed from each grease interceptor; destination of removed wastes; signature and date of FOG facility personnel confirming service completion.
4. FOG facilities shall report, in writing, their FOG pretreatment device maintenance records to the District quarterly.
5. A facility shall report to the District, in writing, any accidental discharge within 24 hours of event.

Inspections

1. All FOG pretreatment devices may be inspected by the PCS as necessary to assure compliance with this ordinance.
2. Each FOG facility shall allow the PCS, and other duly authorized employees or agents of the District bearing proper identifications, access to all parts of the premises for the purpose of

inspection, observation, record examination, measurement, sampling and testing in accordance with this ordinance.

3. The refusal of any FOG facility to allow the PCS entry to or upon the facility's premises for purposes of inspection, sampling effluents, and inspecting and copying records, or performing such other duties as shall be required by this ordinance shall constitute a violation of this ordinance.
4. The PCS official will inspect FOG facilities during both scheduled and unscheduled visits.

Registration

1. All FOG facilities must obtain a Certificate of Use and Occupancy by completing a FOG Survey Form.
2. A Certificate of Use and Occupancy will be issued to all FOG facilities that comply with all provisions of this ordinance.
3. A Certificate of Use and Occupancy will be revoked if any provision of this ordinance is violated continuously.

Administrative Enforcement and Noncompliance Fines

1. A NOV shall be issued to the user for any one or more of the following reasons:
 - a. Failure to properly maintain the grease interceptor, grease trap or water-oil separator in accordance with the provisions of this ordinance.
 - b. Failure to maintain a record of pumping activities.
 - c. Failure to provide logs, files, records, or access for inspection or monitoring activities.
 - d. Any other failure to comply with the requirements of this ordinance or conditions of the registration.
2. The NOV will include
 - a. Violation description
 - b. Number of days to correct deficiencies and/or violations
 - c. Date of next inspection
 - d. Explanation of fees and/or fines
3. Any FOG facility issued a NOV must respond, in writing, to the District within ten (10) days of receipt of the notice of violation describing how the non-compliance occurred and what steps will be taken to prevent a reoccurrence.
4. There will be a one hundred (\$100) dollar inspection fee for any inspection performed as a result of a NOV.
5. All sampling and monitoring after a violation of this ordinance shall be at the violator's expense.
6. If a user has reasons to believe a specific limit or requirement of this ordinance does not, or should not apply to their FOG facility, the user must submit a modification request form, information supporting the modification request form, and a modification request form fee of fifty (\$50) dollars to the District to be considered for review.
7. Any modification must be approved by the District's Utility Director in written form before implementation.

This ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Board of Trustees of the Clay Township Regional Waste District on the 8th day of September, 2008.

BOARD OF TRUSTEES:

ATTEST:

Appendix A

FOG Ordinance Recommended Fines

<u>No FOG Pretreatment Device</u>	<u>Violation of Cleaning Schedule</u>	<u>Violation of Pretreatment Device Capacity</u>	<u>Violation of Pretreatment Device Capacity</u>
<p>No FOG pretreatment device treating the wastewater at a FOG facility:</p> <ul style="list-style-type: none"> • NOV and 30 days to install device <p>Violation of the 30 day deadline for installation of device:</p> <ul style="list-style-type: none"> • NOV, \$500 fine + inspection fee and 30 additional business days to install device <p>Violation of the 30 day deadline for installation of device:</p> <ul style="list-style-type: none"> • NOV, \$100 fine per day of violation from the day after the second 30 day deadline + inspection fee 	<p>Violation of the 90 day cleaning schedule, or modified schedule for grease interceptors and water-oil separators:</p> <ul style="list-style-type: none"> • NOV, \$400 fine for first violation • NOV, \$800 fine for second violation • NOV, \$1000 fine for third violation • Revocation of Certificate <p>Violation of Biweekly cleaning schedule, or modified schedule for grease traps:</p> <ul style="list-style-type: none"> • NOV, \$400 fine for first offense • NOV, \$800 fine for second offense • NOV, \$1000 fine per offense • Revocation of Certificate 	<p>Capacity of grease trap, interceptor, or water-oil separator exceeded the District specified limits:</p> <p>1st Offense</p> <ul style="list-style-type: none"> • NOV, 15 business days to clean device + inspection fee <p>Failure to clean device within 15 business days:</p> <ul style="list-style-type: none"> • NOV, \$500 fine and 15 additional business days to clean device + inspection fee <p>Failure to clean device after second 15 day deadline:</p> <ul style="list-style-type: none"> • NOV, \$100 fine per day of non-compliance + inspection fee 	<p>Capacity of grease trap, interceptor, or water-oil separator exceeds the District specified limits:</p> <p>2nd Offense</p> <ul style="list-style-type: none"> • NOV, \$500 fine and 15 business days to clean device + inspection fee <p>Failure to clean device within 15 business days:</p> <ul style="list-style-type: none"> • NOV, \$100 fine per day of non compliance + inspection fee <p>3rd Offense</p> <ul style="list-style-type: none"> • Revocation of Certificate

NOV: Notice of Violation

Violations not listed will be treated on case- by -case basis by the District's Board of Trustees

Appendix A

FOG Ordinance Recommended Fines

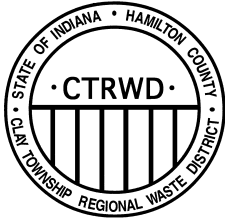
<u>Failure to provide logs, files, and other records during inspection</u>	<u>Failure to report an accidental discharge</u>	<u>Failure to provide quarterly reports to the District</u>	<u>Refusal of Inspection</u>
<p>1st Offense</p> <ul style="list-style-type: none"> NOV, \$200 fine + inspection fee <p>2nd Offense</p> <ul style="list-style-type: none"> NOV, \$500 fine + inspection fee <p>3rd Offense</p> <ul style="list-style-type: none"> NOV, \$1000 fine + inspection fee <p>4th Offense</p> <ul style="list-style-type: none"> Revocation of Certificate 	<ul style="list-style-type: none"> \$100 dollars per day from the date of discharge <p><u>Failure to Maintain a Certificate of Use and Occupancy</u></p> <ul style="list-style-type: none"> \$500 per month of non-compliance in addition to violation fines and monitoring expenses. <p><u>Sample shows over the limit FOG discharge</u></p> <ul style="list-style-type: none"> \$500 per sample over the District’s discharge limit. 	<p>1st Offense</p> <ul style="list-style-type: none"> 1st NOV, 5 business days to provide report to the District <p>Failure to provide report within 5 business days</p> <ul style="list-style-type: none"> NOV, \$200 fine, 5 additional business days to provide report to the District <p>Failure to provide report within the 10 business days provided</p> <ul style="list-style-type: none"> NOV, \$500 fine and \$100 per day until the quarterly report is submitted. 	<p>1st Offense</p> <ul style="list-style-type: none"> \$500 fine + inspection fee <p>2nd Offense</p> <ul style="list-style-type: none"> \$1000 fine + inspection fee <p>3rd Offense</p> <ul style="list-style-type: none"> Revocation of Certificate Board review for enforcement.

NOV: Notice of Violation

Violations not listed will be treated on case by case basis by the District’s Board of Trustees

Appendix B

Clay Township Regional Waste District FOG Modification Request Form



Administrative Office Phone: 317-844-9200 Fax: 317 844 9203 www.ctrwd.org
Plant Office Phone: 317-873-0563 Fax: 317-873-0564

Submittal of this form does not guarantee a modification will be granted. The grant of a modification based on this form may be revoked at any time if wastewater is identified as having a negative impact to the health, safety, and welfare of others, or if circumstances warrant. A modification only applies to the specific part of the ordinance mentioned in this form and not for any other part. This form will not be reviewed if it is found to be incomplete.

Date Received:
Reviewed:
Granted/Denied:
Fee Paid: Yes No

____ Modification Form Fee Paid

Part A. Applicant Information

Date of submittal of modification form: _____

Date by which modification is needed: _____

Name of Applicant: _____

Name of Facility: _____

Facility Address: _____

Name of Owner of the building where the Facility is located

Part B. Basis for modification request (If further space is required in the completion of this form attach additional pages)

Please specify the part of the FOG ordinance you wish the District to modify for your Facility:

Please explain the modification you are proposing:

Please explain the reason for this request: _____

Part C. Need for modification support documents

Please attach documentation that will help support your modification request.

Part D. Agreement

By this signature, the applicant indicates understanding that the submittal of this form does not guarantee a modification will be granted and the granting of this modification does not permit non-compliance to any other part of the FOG ordinance. The District reserves the right to revoke this modification grant .

Signature: _____

Date: _____