

933.55 CUTTING OR BREAKING SANITARY OR COMBINATION SEWER.

No person shall cut, break or pierce any Board sanitary or combination sewer or appurtenance thereof, or place, introduce or connect any tube, pipe, trough or conduit into any sanitary or combination sewer or appurtenance thereof, without having first obtained a consent, in writing, from the Board to do so.

933.56 GREASE. The following paragraphs are specific for managing Fats, Oils and Greases generated from cooking establishments discharging to the Board's collection system. Permitting, inspections, enforcement and fees for the following Articles are administered through Sections 933.01 through 933.51.

(a) Definitions.

- (1) Board- means the Huntington Sanitary Board or their duly authorized representative.
- (2) Fats, oils and grease (FOG) - means groups of substances with similar physical characteristics that are detectable quantitatively on the basis of their common solubility in an organic solvent, usually originating from animals or vegetables. These substances are measurable using analytical test procedures established in 40 CFR 136, as amended from time to time. All are sometimes referred to herein as grease or greases.
- (3) Cooking establishments- means those establishments that engage in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying (all methods); baking (all methods); boiling; blanching; roasting; toasting; or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.
- (4) Executive Director- The person designated by the Sanitary Board to supervise the operation of the publicly-owned treatment works and who is charged with certain duties and responsibilities by this article. The term also means a Duly Authorized Representative of the Executive Director.
- (5) Non-cooking establishments- means those establishments primarily engaged in the preparation of precooked foodstuffs that do not include any form of cooking. These include cold dairy and frozen foodstuffs preparation and serving establishments.
- (6) User- means any person who contributes causes or permits the contribution or discharge of wastewater into the POTW, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.
- (7) Operator- means the person responsible for the overall operation of the commercial establishment.
- (8) Person- means any individual, partnership, co-partnership, firm, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns, or employee thereof.
- (9) Grease trap or interceptor- means a device for separating and retaining fats, oils and grease from the wastewater prior to entering the sanitary sewer collection and treatment system. All are sometimes referred to herein as grease interceptors.
- (10) Minimum design capability- means the design features of a grease interceptor and its ability or volume required to effectively intercept and retain greases from grease-laden wastewaters discharged to the public sanitary sewer.
- (11) Prewash sink- means a sink generally located prior to the dishwasher. This sink is usually equipped with a sprayer to remove food particles from dishes, prior to entering the dishwasher.

(b) Prohibitions.

- (1) No person shall discharge any wastewater into the sewer system of the Board that contains fats, oil or grease in excess of 160 milligrams per liter of wastewater. Oil and grease shall be determined by collecting four grab samples evenly spaced throughout normal business hours and analyzing separately. The average of all four results shall be less than 160 milligrams per liter.
- (2) No person shall discharge any wastewater to the grease interceptor during the cleaning process, including, but not limited to, the decanting of water from the truck of a third party contracted to clean the grease interceptor. Tap water may be used to aid in cleaning the grease interceptor.

(c) Grease Interceptors.

- (1) A grease interceptor shall be installed, at no cost to the Board, in any establishment where the quantity of fats, oil, and grease in its wastewater is likely to exceed 160 milligrams per liter at any time. Said establishments include, but are not limited to, all restaurants, cafeterias, bakeries, meat processing operations, schools, universities, churches, daycares, jails, hospitals, service stations and/or other facilities that prepare food for resale, patients or club members.
- (2) In any establishment that is required to install a grease interceptor, the owner and/or operator of the facility shall properly operate and maintain the grease interceptor, so that the wastewater discharged from the facility does not contain fats, oil or grease at or above prohibited levels at any time.
- (3) In any establishment that is required to install a grease interceptor, the owner/operator of the facility shall not:
 - A. Discharge any quantities of fats, oil or grease into the sewer system not associated with the normal cleaning of cooking utensils and/or containers in which food is cooked, prepared, served or stored;
 - B. Connect dishwashers, disposals, floor drains or mop sinks to the grease interceptor;
 - C. Allow the grease interceptor to accumulate grease constituting more than twenty-five percent (25%) of the total liquid depth;
 - D. Introduce any additives, bacteria or enzymes for the purpose of emulsifying the grease;
 - E. Alter the grease interceptor in any manner that reduces the efficiency;
 - F. Connect plumbing fixtures into which fats, oils and grease are not discharged to the grease interceptor;
 - G. Install the grease interceptor in such a manner as to make inspection and maintenance of the grease interceptor difficult.
- (4) Any establishment that has a prewash sink shall connect the sink to a grease interceptor. If it is not possible to connect the prewash sink to an existing grease interceptor, then a separate trap shall be installed for the prewash sink. Prewash sinks shall have a screening device to remove solids from the wastewater. A garbage disposal at this point is prohibited.

(d) Grease Interceptor Size.

All grease interceptors shall be of a type, design, and capacity approved by the Board or appointed designee and shall be readily and easily accessible for user cleaning and Board inspection. All such grease interceptors shall be serviced and emptied of waste content in order to maintain Minimum Design Capacity or effective volume of the grease interceptors, but not less often than every thirty days, unless the Board determines an alternate frequency.

- (1) Users who are required to pass water through a grease interceptor shall size the grease interceptor using the following formula:

$$GT = M \times G$$

GT = grease interceptor size in gallons.

M = meals served during the mealtime period in which the greatest

number of patrons are served.

$G =$ gallon multiplier. If one mealtime is served per day, the multiplier is 2.5; if two mealtimes are served per day, the multiplier is 3; if three mealtimes are served per day, or the establishment is open to the public for meals more than 12 hours in a 24-hour period, the multiplier is 5.

- (2) Existing facilities required by this article to install a grease interceptor, but not subject to subsection (a)(1) hereof, shall install a grease interceptor with a volume at least three hundred percent (300%) greater than the monthly total volume of fats, oils, and grease produced by the facilities.
 - (3) In the event that meals served by the facility, or the amount of fats, oils and grease generated each month cannot be calculated by the owner/operator of said facility, the Board shall make said calculation, based upon the best evidence available, and require the existing facility to install a grease interceptor of a size indicated by said calculation. Unless the Board accepts extenuating circumstances, in no case, shall the grease interceptor be smaller than 30 gallons per minute, or have less than 60-pound grease capacity. The Board, in making said calculation, shall not be guaranteeing the appropriateness of the size of the grease interceptor required by said calculation, nor shall the Board be prevented from requiring a larger grease interceptor or if subsequent experience demonstrates the existing grease interceptor's inadequacy.
 - (4) The Board may modify the requirements for the size of the grease interceptor, as calculated in subsection (a)(1), (2) or (3) hereof, for good cause, including, but not limited to, restrictions in the space for installation of a grease interceptor. In this event, the grease interceptor shall be sized as the following:
 - A. Provide for a minimum hydraulic retention time of twenty-four (24) minutes at actual peak flow or 12 minutes at the calculated theoretical peak flow rate as predicted by the local plumbing code fixture criteria, between the influent and effluent baffles with twenty-five percent (25%) of the total volume of the grease interceptor being allowed for sludge to settle and accumulate.
 - B. In no case shall the grease interceptor have a retention time less than two pounds for each gpm of flow with the smallest trap rated at 30 gallons per minute, or have less than a 60-pound grease capacity. The Board, in making said calculation, shall not be guaranteeing the appropriateness of the size of the grease interceptor required by said calculation, nor shall the Board be prevented from requiring a larger grease interceptor or if subsequent experience demonstrates the existing grease interceptor's inadequacy.
 - (5) The user shall remove any accumulated grease and sludge as required, but at intervals of not longer than thirty (30) days at the use's expense. Grease interceptors shall be kept free of inorganic solid materials such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags, etc., which could settle and thereby reduce the effective volume of the grease interceptor.
 - (6) The Board may exempt an otherwise covered facility from the requirements of this article if the owner/operator of the facility demonstrates to the satisfaction of the Board that its wastewater will not contain fats, oil or grease in excess of 160 milligrams per liter. A request shall be made in writing to the Board along with a copy of the menu, and a list of kitchen equipment (number of sinks, dishwasher, fryer, etc.);
 - (7) The Board reserves the right to re-evaluate the facility at its discretion if changes in the menu or other business operations, or problems in the sewer system, will warrant the installation of a grease interceptor.
 - (8) The use of automatic grease removal systems is conditionally permissible, upon prior written approval by the Board. Any establishment using this equipment shall operate the system in such a manner that the discharge limit for grease, as measured from the unit's outlet is consistently achieved.
- (e) New Construction.
- (1) Facilities constructed subsequent to the passage of this article, and required by this article to install a grease interceptor, shall locate the grease interceptor within thirty feet of the fixtures served by the grease interceptor, in an easily accessible location and, when possible, outside the facilities to be served. If the grease

interceptor is too large to allow the installation of a one-piece easily removable lid, two lids shall be installed. Lids shall be positioned over each chamber and sanitary tee to allow for measurement, servicing, and removal of the fats, oils and grease. These lids, or access manholes, shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. These lids shall have a minimum diameter of 24 inches and shall not exceed 75 pounds in weight. Sample ports shall be installed on the grease interceptor effluent line.

- (2) No non-grease laden sources will be connected to those lines intended for grease interceptor service.
- (3) Prior to construction, the contractor and/or operator of the new facility shall submit the following to the Board:
 - A. Plans and specifications for the grease interceptor proposed to be installed;
 - B. Site plan showing grease interceptor location and fixture(s) to be served;
 - C. Seating capacity of the facility; and
 - D. Calculation of the required size of the grease interceptor. Restaurants, cafeterias, or any other facility that prepares food for resale, patients or club members shall calculate the required size as set forth in subsection (d)(1) hereof, but in no case shall the grease interceptor be smaller than 250 gallons. The installation and/or construction of the grease interceptor may not occur until written approval of the plans or specifications, site plan, and size is received from the Board.

(f) Permits.

- (1) No establishment shall operate a grease interceptor without a grease interceptor permit. In order to obtain a grease interceptor permit, the owner and/or operator of an establishment that is required to have a grease interceptor permit by this article shall submit a complete permit application, including plans and specifications, site plan, seating capacity of the facility, appropriate fee as detailed in the Board's Schedule of Rates, and the calculation of the required size of the grease interceptor to the Board at least sixty (60) days prior to the date the facility begins operation. The Board shall approve or reject the application in writing within ninety (90) days of its submission. In the event the application is approved, the owner and/or operator shall install the grease interceptor, or modify an existing grease interceptor, in accordance with the plans and specifications and shall notify the Board when said installation/modification is completed. The notification shall occur at least ten (10) days prior to the date the facility begins operations. A grease interceptor permit shall not be issued until the Board has inspected the grease interceptor.
- (2) Permits shall be issued for a specified time period not to exceed three years. A permit may be issued for a period less than three (3) years at the discretion of the Board.
- (3) Permits may be re-assigned or transferred to a new owner and/or operator only with written prior approval of the Board. Permits may be terminated for the following reasons:
 - A. Failing to properly install, operate or maintain the grease interceptor;
 - B. Refusing to allow timely access to the facility premises, the grease interceptor, and the grease interceptor records;
 - C. Failing to pay the permit fee;
 - D. Failing to meet effluent limitations; and
 - E. Failing to maintain accurate grease interceptor records.
- (4) The owner and/or operator shall apply for permit renewal by submitting a completed permit application including the appropriate fees as determined by the Board per Section 933.21 sixty (60) days prior to expiration of the existing permit. An expired permit will continue to be effective and enforceable until the permit is reissued if the application has been submitted in a timely manner and the failure to reissue the permit prior to the permit expiration of the previous permit is not due to any act or failure to act on the part of the owner and/or operator.
- (5) Existing facilities that are required to obtain a grease interceptor permit by this article shall submit a completed permit application within sixty (60) days of the date of the passage of this article. The Board shall review each application and, if necessary, inspect each facility, to determine whether it is in compliance with the

provisions of this article. If the facility is in compliance, the Board shall issue the owner and/or operator a grease interceptor permit. In the event the facility is not in compliance, the Board will issue a Notice of Violation, pursuant to subsection (h) hereof. The initial permit application will be accepted as an approved permit for the purposes of this article until such time as the Board has completed its review of the application; if the completed application has been submitted in a timely manner and the failure to issue the permit is not due to any act or failure to act on the part of the owner and/or operator.

(g) Disposal.

- (1) Facilities that clean their grease interceptors and dispose of the grease themselves must maintain, and have available for inspection by the Board, a log for the previous three (3) years which contains the following information:
 - A. The date and time the grease interceptor was cleaned;
 - B. The volume, in gallons, of fats, oils and grease removed;
 - C. The method of disposal.The Board shall supply log sheets.
- (2) Facilities that employ third parties to clean their grease must maintain, and have available for inspection by the Board, receipts for the previous three (3) years from said third parties reflecting the date and time of the removal, the volume removed, and the amount paid for services, as well as receipts from the facility where the third party disposed of the grease. A representative of the facility must be present when a third party cleans a grease interceptor.
- (3) Failure to keep said log or receipts shall be sufficient grounds for the termination of the facility's grease interceptor permit.

(h) Inspection.

The Board shall have the right to enter any facility covered by this article without prior notice to inspect and test the grease interceptor and related fixtures and plumbing, and inspect the facility's log or third party receipts. Any violations found during inspection shall be noted on an inspection form. A subsequent Notice of Violation will be sent to the owner and/or operator of the facility by First Class mail, which will give said owner and/or operator fourteen days to correct the violation. Extensions of the fourteen-day period may be granted for good cause shown. Failure to correct the violation may result in the termination of the facility's grease interceptor permit. Nothing in this article, however, shall limit the Board's right to pursue the remedies set forth in the City of Huntington's Sewer Use Article, in addition to the remedies set forth herein.

(i) Enforcement.

- (1) When the Board finds that provisions of this article have been violated, and issues a Notice of Violation, as set forth in subsection (h) hereof, the operator may file a written objection to the Notice of Violation with the Board within ten days of the date of said Notice. Said written objections must set forth with specificity the reasons for said objection.
- (2) Upon receipt of the operator's written objection to the Notice of Violation, the Board shall determine whether said objection raises an issue of disputed fact material to the alleged violation. If the Board determines that a material issue of disputed fact as been raised, the Board shall schedule the matter for a hearing.
- (3) After review of the evidence, if the Board concludes that this article has been violated, it may issue an Order revoking the operator's grease interceptor permit and establishing conditions which the operator must meet in order to receive a new grease interceptor permit, terminating sewer service to the facility, or such other remedy as justice requires.
- (4) If any person violates a provision of this article, any Order of the Huntington Sanitary Board issued under subsection (h) hereof, or any term or condition of a permit issued under this article, the Board's attorney may commence an action for appropriate legal and/or equitable relief in Court, including, but not limited to, enjoining further commercial activity at the facility until the operator has complied with the requirements of this article. The Board may also recover reasonable attorney's fees, court costs, court reporter fees and other expenses of litigation in said action.
- (5) If an obstruction of a Board sewer main(s) occurs that causes sewer overflow to

the extent that an impact on the environment is realized and that said overflow or failure of the sanitary sewer collection system to convey sewage can be attributed in part or in whole to an accumulation of grease in the Board's sewer main(s), the Board will take appropriate enforcement actions, as stipulated in the Board use articles, against the generator or contributor of such grease.

SEVERABILITY

If any provision of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

EFFECTIVE DATE

This article shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.