

# City of Graham

## Fats, Oils, and Grease Control Policy

### Section 1 - PURPOSE

It is the duty and responsibility of the City of Graham to prevent the excessive introduction of oil and grease into the sanitary sewer system and the wastewater treatment plant. This policy is designed to outline, implement and enforce oil and grease discharge rules. The intent of this policy is to ensure compliance with the City of Graham Sewer Use Ordinance; ensure compliance with the rules and regulations of the United States Environmental Protection Agency and the State of North Carolina Department of Environment and Natural Resources (as relates to Fats, Oil and Grease [FOG]), ensure compliance with City of Graham Permit Number WQCS00065 (Wastewater Collection System Permit); and to protect the City's infrastructure as it relates to the sanitary sewer collection and treatment system.

Wastewater Collection System Permit Number WQCS00065 issued to the City of Graham by the North Carolina Department of Environment and Natural Resources includes the following Performance Measure:

*(4) The Permittee shall maintain an educational and enforcement program that requires the proper operation and maintenance of all grease traps and septic tanks connected to the wastewater collection system. The educational program should target both residential and commercial users.*

The accumulation of grease within sanitary sewer lines increases the potential to create sewer blockages. Sanitary sewer blockages can result in sanitary sewer overflows (SSOs), which may reach the surface waters of North Carolina. Blockages may also cause wastewater to back up into business establishments, or homes and can result in extensive damage. Grease can be discharged to the sanitary sewer system from several sources, including Food Service Establishments.

In order to reduce sewer blockages, all grease trap and grease interceptors shall be maintained for continuous, satisfactory and effective operation by the owner, leaseholder or operator at this expense. "Enforceable Best Management Practices" for the control of Fats, Oil and Grease [as published by the City of Graham] shall also be implemented by all Food Service Establishments.

The Director reserves the right to make determination of grease retention unit adequacy and need, based on review of all relevant information regarding grease retention performance, maintenance, and facility site and building plan review to require repairs to, modification, or replacement of such retention units.

## **Section 2 - AUTHORITY**

The City of Graham Sewer Use Ordinance [Section 13-72 of the Rules and Regulations for the Operation of the Water and Wastewater System of the City of Graham, North Carolina] contains the following:

### *Section 13-72 – General Sewer Use Requirements*

#### *Section 13-72 (a) – Prohibited Discharge Standards*

(1) General Prohibitions. No user shall contribute or cause to be contributed into the POTW any pollutant or wastewater which causes pass through or interference.

(2) Specific Federal Prohibitions. No user shall contribute or cause to be contributed into the POTW

*b Solid or viscous pollutants in amounts which will cause obstruction of flow in the POTW resulting in interference.*

*n. Fats, oils, or greases of animal or vegetable origin in concentrations that will cause interference or pass through with the POTW.*

#### *Section 13-72(g) Pretreatment of Wastewater*

(2) *c. Grease, oil, and sand interceptors shall be provided when, in the opinion of the POTW director, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the POTW director and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense. The user shall be responsible for ensuring that no waste or wastewater pumped from such interceptors is reintroduced back into the interceptor, collection system, into the environment, or is otherwise improperly disposed of. The user may be required to submit documentation of the interceptor cleaning and repair to the utilities director.*

## **Section 3 - FOG POLICY DEFINITIONS**

*City.* City of Graham, North Carolina

*Cost Recovery* - Those costs association with the clean-up and/or decontamination of a site after discharge of substances into the sanitary sewer, storm sewer and/or to the environment that caused interference, pass-through or a sanitary sewer blockage. This includes clean-up and decontamination of all structures/areas including residential, commercial, surface waters and the environment.

*Director.* The City of Graham Utilities Director or his designee.

*Enforceable Best Management Practices (E-BMPs).* Methods, tools, and techniques that have been determined to be the most effective and practical means of preventing or reducing pollution, including documentation of employee training, documentation of grease interceptor/grease trap cleaning, removal and disposal of grease.

*Fats, Oils, and Greases (FOG).* Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances may solidify or become viscous at temperatures between thirty-two (32) degrees Fahrenheit and one hundred fifty (150) degrees Fahrenheit (0 degrees-65 degrees Celsius) may be referred to as FOG. Commonly these substances are byproducts generated by the practice of cooking or preparing food. They are also found in such food substances as salad dressings, sauces and marinades, and baking oils and butter products.

*Pretreatment Coordinator.* The City of Graham Enforcement Official designated by the Director of Utilities to implement the Grease Control Policy.

*FOG Enforcement Response Plan.* The policy that contains detailed procedures indicating how the City will investigate and respond to instances of noncompliance with the FOG Control Policy.

*Food Service Establishments.* Those establishments primarily engaged 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), grilling, sautéing, rotisserie cooking, broiling (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. Those establishments that engage in the preparation of precooked and frozen food materials and meat cutting preparation and applicable to all "Food Service Establishments" that discharge wastewater containing grease to the City of Graham Sanitary Sewer System including but not limited to the following: restaurants, grocery stores, meat markets, hotels, factory and office building cafeterias, public and private schools, hospitals, nursing homes, commercial day care centers, churches, and catering services.

*Grease Retention Unit.* A device utilized to affect the separation of grease and oils in wastewater effluent from a Food Preparation Establishment prior to the wastewater entering the sanitary sewer collection and treatment system.

*Grease Interceptor/ Trap.* These are grease retention units of the outdoor or underground type, and indoor units under the sink and above floor design.

*Interference.* A discharge, which alone or in conjunction with a discharge or discharges from other sources, both: inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal, and therefore is a cause or contributes to, a violation of any requirement of the POTW's NPDES permit and/or the City Wastewater Collection System Permit (including an increase in the magnitude or duration of a violation) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, 40 CFR Part 503 [Standards for the Use of Disposal of Sewage Sludge], the Toxic Substances Control Act, or more stringent state criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of sludge disposal employed by the POTW. [City of Graham Sewer Use Ordinance Definition]

*Owner.* Owner shall mean individual, firm, company, corporation, or group upon whose property the building or structure is located or will be constructed.

*Pass Through.* A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with discharges from other sources, is a cause of a violation of any requirement of the City of Graham NPDES permit, including an increase in the magnitude or duration of a violation. [City of Graham Sewer Use Ordinance Definition]

*Policy.* The City of Graham Fats, Oils and Grease Control Policy

*POTW.* Publicly Owned Treatment Works as defined by Section 212 of the Act. (33 U.S.C. 1292) which is owned by the City of Graham. This definition includes any devices or system used in the collection, storage, treatment, recycling and reclamation of municipal sewage (wastewater) or industrial wastes of a liquid or solid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. For the purpose of this policy, POTW shall also include any sewers that convey wastewater to the POTW from persons/users outside the City who are by contract, or agreement with the City or in any other way users of the POTW.

*Sanitary Sewer.* A Public Sewer controlled by a governmental agency or entity including The City of Graham that carries liquid and waterborne Waste from residences, commercial buildings, industrial plants or institutions; together with minor quantities of ground or surface waters that are not intentionally admitted.

*Sewer.* A pipe or conduit for carrying Wastewater.

*Storm Sewer or Storm Drain.* A sewer or drain designed, constructed and intended to carry storm and surface waters and drainage, but NOT wastewater.

*Surface Waters.* Creeks, streams, lakes or other bodies of water.

*User.* Any person, business, or organization, including those located outside of the jurisdictional limits of the City, who contributes, causes, or permits the contribution or discharge of wastewater into the POTW.

*Variance for Cause Request.* Submittal provided by a Food Service Establishment to provide site-specific technical information to demonstrate why a grease interceptor is not feasible, practicable, and/or necessary for a particular use, activity and/or structure.

*Waste.* Shall mean the liquid and water-carried domestic or industrial wastes from dwellings, commercial establishments, industrial facilities and institutions, whether treated or untreated. The term's "sewage" and "wastewater" shall be deemed as waste by definition.

#### **Section 4 - ACRONYMS**

The following acronyms are used in this Policy:

**DENR**--Department of Environment and Natural Resources.

**E-BMP** --Enforceable Best Management Practices

**EPA**--United States Environmental Protection Agency.

**FOG**--Fats, Oils, and Grease.

**FSE**—Food Service Establishments

**NCGS**--North Carolina General Statutes.

**NOV** --Notice of Violation

**POTW**--Publicly Owned Treatment Works

#### **Section 5 - APPLICABILITY**

This policy is applicable to all "Food Service Establishments" that discharge wastewater containing grease to the City of Graham Sanitary Sewer System including but not limited to the following: restaurants, grocery stores, meat markets, hotels, factory and office building cafeterias, public and private schools, hospitals, nursing homes, commercial day care centers, churches, and catering services.

#### **Section 6 - GREASE RETENTION UNIT CONSTRUCTION STANDARDS**

All new grease interceptors shall be designed and constructed in accordance with the requirements of the City of Graham but in no case may be less stringent than the North Carolina State Plumbing Code. (City of Graham Spec book Page Details SS – 7)

##### **A. General Design Requirements for all Food Service Establishments**

1. Grease retention unit design, including a minimum capacity for the retention unit must be approved by the City of Graham prior to installation by the Food Service Establishment.
2. All grease retention units, whether singular or two tanks in series, must have each chamber directly accessible from the surface to provide means for servicing and maintaining the retention unit in efficient working and operating condition.
3. All grease retention units shall be designed and installed to allow for complete access for inspection and maintenance of the inner chamber(s) and viewing and sampling of the effluent wastewater discharged to the sanitary sewer.
4. Drainage systems conveying sanitary waste (toilets, lavatories, etc.) shall not be connected to the influent side of the grease retention unit.
5. Dishwashers equipped with booster heaters and/or using water in excess of 140° F shall not pass through any grease retention unit with lesser than a 1000-gallon capacity.

#### B. New Food Service Establishments in New Buildings

1. All new Food Service Establishments shall be required to install an outdoor grease interceptor, unless granted a Variance for Cause by the City of Graham. Any Food Service Establishment wishing to seek a Variance for Cause must submit a Variance for Cause Request to the Utility Director or his designee.
2. Grease Retention Units shall have a minimal capacity determined in accordance with the City of Graham Pretreatment Staff criteria.
3. No new Food Service Establishments will be allowed to initiate operations until a grease retention unit is installed and approved by the Pretreatment Staff and Inspections Department.
4. Site plans must be submitted for all new Food Service Establishments. Site plans must be signed and sealed by a North Carolina licensed professional engineer to certify the plan meets all requirements of this Policy.

#### C. Existing Food Service Establishments *with* a Grease Retention Unit

1. All existing Food Service Establishments with a grease retention unit shall operate and maintain such units in compliance with this policy and shall comply with the Enforceable Best Management Practices.
2. In the event an existing Food Preparation Establishment's grease retention unit is either under-designed or substandard in accordance with this policy, the owner(s) will be notified in writing of the deficiencies and required improvements and given a compliance deadline not to exceed one year to conform to the requirements of this Policy. For cases in which "outdoor" type grease interceptors are infeasible to install, existing Food Service Establishments will be required to install adequate and approved ( indoor) grease traps for use on individual fixtures including sinks and other potentially grease containing drains.

3. Site plans must be submitted for additions and renovations made to existing facilities. Improvements made to existing facilities will be evaluated to determine their impact on the grease retention unit. Establishments will be required to install a larger sized unit if the potential daily grease production is significantly increased.

**D. Existing Food Service Establishments *without* a Grease Retention Unit**

1. Food Service Establishments without a grease retention unit in place on the effective date of this policy shall immediately comply with the Enforceable Best Management Practices.
2. If excessive grease buildup is noted in the collection system and/or excessive collection system maintenance is required in the collection system and/or sanitary sewer blockages occur in the sanitary sewer system below a Food Service Establishment without a Grease Retention Unit the City of Graham reserves the right to require the Food Service Establishment to install a Grease Retention Unit.

**E. New Food Service Establishments in Existing Buildings**

1. Where practical, Food Service Establishments locating in existing buildings will be required to comply with the requirements applicable to new construction. Where it is physically impossible to install "outdoor" interceptors, internal in-floor recessed grease traps may be allowed provided prior approval of unit type, size, location, etc. is obtained from the City of Graham.

**F. Construction Standards Exceptions**

1. Under certain circumstances, the grease retention unit size and location may necessitate special exceptions to this Policy. If the City determines that an exception to this Policy is necessary, the User must first demonstrate that the proposed size and location will not result in noncompliance with the intent and discharge requirements of the Fats, Oils, and Grease Control Policy. The facility shall then submit appropriate site plans for any additions or renovations.

**Section 7 - GENERAL REQUIREMENTS**

**A. Right of Entry**

1. The Utility Director or his designee, upon presentation of proper credentials shall have right-of-entry on or upon the property of any user/owner or commercial or institutional enterprise subject to this Policy for the purpose of inspection, determination of compliance, or other enforcement action. The Utility Director or his designee shall be provided ready access to all parts of the premises for the purposes of inspection, monitoring, sampling, ability to establish limits, inventory, records examination and copying, and the performance of any other duties which the Utility Director or his designee reasonably deems necessary to determine compliance with this Policy.

2. Where security measures are in place which require proper identification and clearance before entry into the premises, the property owner or commercial enterprise shall make necessary arrangements with its security guards so that, upon presentation of proper credentials, the Utility Director or his designee will be permitted to enter without delay for the purposes of inspecting the site and investigating any complaints or alleged violations of this Policy.
3. The Utility Director or his designee shall have the right to set up on the property such devices as are necessary to conduct sampling and/or metering and shall have the power to require written statements, certificates, certifications, or the filing of reports relating to complaints or alleged violations of this Policy.
4. All grease retention units shall be easily accessible and shall not be obstructed by landscaping, parked cars, or other obstructions. Any temporary or permanent obstruction to safe and easy access to the areas to be inspected and/or monitored shall be removed promptly by the responsible party at the written or verbal request of the Utility Director or his designee. The costs of clearing such access shall be borne by the responsible party.
5. The Utility Director or his designee may inspect the facilities of any user in order to ensure compliance with this Policy. Such inspection shall be made with the consent of the owner, manager, or signatory official.
6. The Utility Director or his designee also may monitor and inspect any business using or selling cooking oil, any person removing and transporting commercial cooking oil waste or commercial FOG waste and any recycling facility converting commercial cooking oil waste or commercial FOG waste into a marketable product.

#### B. Enforceable Best Management Practices

1. Fats, oils and grease can be managed effectively in the food service industry to minimize the discharge to the sewer system and decrease the required maintenance of grease retention units. Best Management Practices are kitchen cleaning and grease-handling techniques used throughout the industry, and have proven effective when implemented properly and consistently.
2. **All Food Service Establishments** shall maintain a copy of the "City of Graham Enforceable Best Management Practices" and shall implement the E-BMPs through the proper training of all employees.
3. Documentation of E-BMP employee training shall be maintained on-site and readily available upon request.

#### C. Use of Enzymes, Emulsifiers or Other Biological Additives

1. The use of enzymes, grease solvents, thermal sources, emulsifiers, etc. are not considered acceptable grease trap/interceptor maintenance practices and shall not be used as an alternative to the pumping of a grease retention unit, nor as the sole source of grease retention unit maintenance.

#### D. Grease Trap Cleaning and Maintenance Requirements

1. Grease traps (in floor or under sink) shall be inspected at least weekly and cleaned at a minimum of at least once per month. This required maintenance cleaning frequency can be changed by the Utility Director or his designee upon written notification to the owner.
2. Any user using a grease retention unit located on the interior of the site shall be subject to any operational requirements set forth by the North Carolina Division of Waste Management.
3. Cleaning records shall be maintained on-site for a period of three years and copies of grease trap cleaning records shall be submitted if required by the City of Graham.

#### E. Grease Interceptor Cleaning and Maintenance Requirements

1. All outdoor grease interceptor units shall be cleaned/pumped at a minimum of at least once every three months by a North Carolina licensed grease hauler or recycler [as per NCGS 130A-291]. This required maintenance cleaning frequency can be changed by the Utility Director or his designee upon written notification to the owner.
2. Cleaning/pumping shall include the complete removal of all contents, including floatable materials, wastewater, sludge and solids. Separation, decanting or back flushing of the grease interceptor or its wastes is prohibited.
3. The owner shall be responsible for ensuring that no waste or wastewater pumped from the grease retention unit is reintroduced back into the collection system, into the environment, or is otherwise improperly disposed of.
4. All outdoor grease interceptors shall be maintained in efficient operation at all times by the owner at the owner's expense.
5. All owners/users shall maintain cleaning/pumping receipt records that include: date and time grease interceptor was cleaned, quantity of grease/materials removal, company or qualified agent providing services.
  - a. Cleaning records shall be maintained on-site for a period of three years and copies of cleaning records shall be submitted if required to the City of Graham. These submittals, if required, will be to the City of Graham Utility Director or his designee.

#### F. Prohibitions

1. It shall be a prohibited by this Policy for any person or User to:
  - a. Modify a grease retention unit structure without consent from the City
  - b. Provide falsified data and/or information to the City of Graham, including but not limited to grease retention unit maintenance and/or cleaning records
  - c. Violate or fail to comply with any applicable section or provision of this Fats, Oils and Grease Control Policy.

F. Notification of Change in Ownership or Closure of a Food Service Establishment

1. A change in ownership of a Food Service Establishment shall be reported to the Utility Director or his designee in writing within thirty (30) days of the ownership change.
2. Any Food Service Establishment that goes out of business shall report such closure to the Utility Director or his designee in writing within thirty (30) days of closure and shall ensure that any grease trap and/or interceptor shall be cleaned/pumped before the building is vacated.

## **Section 9 – ENFORCEMENT RESPONSE PLAN**

### **9-1 Introduction**

This Fats, Oils, and Grease Enforcement Response Plan [FOG ERP] document is a statement of policy by the City of Graham. It is NOT a regulation, code or statute and the City has the authority to amend this policy at any time in order to more effectively implement the City of Graham Fats, Oils and Grease Control Policy. This plan has been developed for guidance and is not intended to create legal rights or obligations, or to limit the enforcement discretion of the Utility Director or his designee or the City of Graham.

This FOG Enforcement Response Plan is an effective way to ensure that the City of Graham takes consistent and equitable enforcement actions against food service establishments (FSE) for violations of the FOG Control Policy and/or the City of Graham Sewer Use Ordinance. It should be noted that, with this FOG ERP, judgment and flexibility will be needed in response to unusual instances of noncompliance.

The enforcement philosophy of the City of Graham is progressive, in that problems are addressed at the lowest level and with the least formality possible consistent with the specific violation. However, escalated enforcement procedure is contingent upon circumstances and conditions of the noncompliance.

In general, enforcement actions against food service establishment (FSE) will be taken in accordance The City of Graham Sewer Use Ordinance. However, the enforcement actions listed here are not exclusive and the City of Graham reserves the right to implement other enforcement responses available to it under the Sewer User Ordinance and North Carolina law, separately or in combination with these responses.

### **9-2 -Civil Penalties**

Civil penalties are in addition to assessed City reimbursement costs for:

- Legal fees
- Equipment repair or replacement
- Costs associated with the clean up or decontamination of a site after the discharge of substances into the sanitary sewer, storm sewer, surface waters and/or to the

environment that cause interference, pass-through or sanitary sewer blockage. This includes clean up and decontamination of all structures/areas including residential, commercial, surface waters and the environment.

- Sampling/monitoring costs
- Any penalties assessed to the City resulting from the subject violation.
- Any user who is found to have failed to comply with any provision of this policy and or the City of Graham Sewer Use Ordinance, or the orders, rules, regulations and any permits issued may be fined up to twenty- five thousand dollars ( \$25,000.00 ) per day per violation.
- Penalties between ten thousand dollars (\$10,000.00) and twenty-five thousand dollars (\$ 25,000.00) per day will be assessed against the violator only if certain conditions apply according to section 13-78(b) (1) a of the City of Graham Sewer Use Ordinance.
- Remedies in addition to civil penalties that are available to the Utility Director or his designee include but are not limited to **Criminal Violations, Injunctive Relief, and Water Supply Severance**

*The Utility Director or his designee reserves the right to assess the maximum penalty for any violation.*

### **9-3 - Personnel Responsible for Enforcement Actions**

The City of Graham Utility Director or his designee is responsible for all enforcement actions.

The City Attorney may be requested to review escalated penalties prior to issuance, if the Utility Director or City Manager deems it necessary.

### **9-4 - Enforcement Considerations**

In determining which enforcement measure(s) to use and the amount of any civil penalties, the Utility Director or his designee may consider the following:

- a. The degree and extent of the impact/harm to the natural resources of the State, the public health, the POTW or public or private property as a result of the violation [including effect on groundwater, surface water or air quality];
- b. The duration and magnitude of the violation;
- c. The cost of repairing the damage to the POTW collection system, public or private property and/or the natural resources of the State;
- d. Whether the violation was committed negligently, grossly negligently, recklessly negligently, willfully or intentionally;

- e. The amount of money saved, if any, by noncompliance, including the cost of continuing to discharge in noncompliance instead of stopping operations;
- f. Cost incurred by the FSE in correcting the problem and FSE cooperation and good faith effort to resolve noncompliance.
- g. The prior record of the FSE in complying or failing to comply with the requirements of the FOG Control Policy, the Sewer Use Ordinance, or other applicable law or regulation;
- h. The cost to the City [including legal fees, sampling/analytical costs, engineering/consulting fees, etc.] required, in the opinion of the City, to take necessary investigative/enforcement action, determine the nature and extent of damage, prevent further damage and repair any damage.
- i. The cost to the City for any civil penalties, fines, legal costs and/or other costs associated with any enforcement action or legal action taken against the City of Graham for Wastewater Collection System Permit violations, NPDES violations or other violations caused by the FSE violation(s).
- j. Violation(s) resulting from vandalism or the action of third-party entities
- k. Deficiencies or violations occurring as a result of circumstances beyond the FSE's control as determined by Utility Director or his designee

#### **9-5 - Investigation of Noncompliance**

The Utility Director or his designee will investigate compliance with the FOG Control Policy/Sewer Use Ordinance in the following ways:

- a. On-site inspections of Food Service Establishments, including scheduled and unscheduled visits;
- b. Review of documentation of required cleaning/maintenance of grease retention units;
- c. Review of records/activities required to be documented and maintained by the User;
- d. Review of procedures and implementation of Enforceable Best Management Practices outlined in FOG Control Policy;
- e. Investigation of sanitary sewer overflows and spill and illegal discharges

## 9-6 TYPES OF VIOLATIONS

These are actions for first occurrence violations and escalated actions that will be taken for noncompliance that occurs more than the initial infraction. Please note that reimbursement costs are in addition to any civil penalties assessed.

VIOLATION (FIRST OFFENSE)	ENFORCEMENT
Inspection hindrance (equipment related)	Notice of Violation ( no civil Penalty)
Failure to maintain records	Notice of Violation \$ 0- \$ 50 assessed
Failure to submit records if required	Notice of Violation \$ 0 - \$ 50 assessed
Failure to pump trap	Notice of Violation \$ 0- \$ 450 assessed
Violation of Enforceable BMP	Notice of Violation \$ 0- \$ 50 assessed
Deny of Right of Inspection	Notice of Violation \$ 75 - \$ 1,000 assessed
Source of Sewer Blockage does not reach State Waters	Notice of Violation \$ 0 – 1,000 assessed
Source of Blockage causing Sanitary Sewer Overflow and reaching State Waters	Notice of Violation \$ 200 – 10,000 assessed
Falsification of Records	Notice of Violation \$ 500 – 1,000 assessed

It should be noted that Criminal Violations, Injunctive Relief, and Water Supply Severance may be included but not limited to as other available remedies used by the City of Graham Utilities Director or his designee against a noncompliant user.

### Section 10 - EMERGENCY ACTIONS and PROCEDURES

1. The Utility Director or his designee is authorized to take all necessary actions to immediately and effectively halt or prevent any grease discharge to the sanitary sewer system, storm sewer or surface waters.
2. Any owner/user with grease retention unit maintenance problems or other situations resulting in the discharge of fats, oils, and grease to *surface waters* must halt discharge immediately. Immediately is defined as within 15 minutes of becoming aware of the problem. Any repairs to the system must be completed within 24 hours, at the expense of the Food Service Establishment owner, leaseholder or user.

### Section 11 - APPEALS

#### A. Reconsideration Petition

1. Any user/owner may petition the Pretreatment Coordinator to reconsider the terms of any enforcement action within thirty (30) calendar days of issuance.
2. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal process
3. The petition shall indicate the terms objected to, the reasons for the objection and any additional information that should be considered.

4. If the Pretreatment coordinator fails to act within fifteen (15) days of receipt, the request for reconsideration shall be deemed to be denied.

**B. Initial Appeal to Utility Director**

1. Any user/owner whose Reconsideration Petition to the Pretreatment Coordinator has been denied shall have the right to a hearing before the Utility Director upon making written demand to the Utility Director within thirty (30) days of receipt of the denial. The written demand shall identify the specific enforcement action issues to be contested and any additional information that should be considered.
2. Unless such written demand is made within the time specified herein, the action shall be final and binding.
3. The Utility Director shall conduct the hearing and make a final decision on the enforcement action within fifteen (15) days of the hearing. The owner/user shall be notified of the decision by certified mail.

**C. Final Appeal Hearing with City Manager**

1. Any user/owner whose Initial Appeal to the Utility Director has been denied shall have the right to a final hearing before the City Manager upon making written demand to the City Manager within thirty (30) days of receipt of the Initial Appeal denial. The written demand shall identify the specific enforcement action issues to be contested and any additional information that should be considered.
2. Unless such written demand is made within the time specified herein, the action of the Utility Director shall be final and binding.
3. The City Manager shall conduct the hearing and make a final decision on the enforcement action within fifteen (15) days of the hearing. The owner/user shall be notified of the decision by certified mail.
4. The decision of the City Manager shall be considered the final administrative action for purposes of judicial review.

**CITY OF GRAHAM**  
**ENFORCEABLE BEST MANAGEMENT PRACTICES**  
**FOR ALL FOOD SERVICE ESTABLISHMENTS**  
**[REQUIRED BY THE FATS, OILS AND GREASE CONTROL POLICY]**

Fats, oils and grease (FOG) can be managed effectively by food service establishments to minimize the discharge of FOG to the sanitary sewer system and decrease the required maintenance of grease retention units. The following Best Management Practices have proven effective when implemented properly and consistently.

**The following Enforceable Best Management Practices are required by Section 6(D)(1) Section 6(E)(1) and Section 1 of the City of Graham Fats, Oils and Grease Control Policy. All Food Service Establishments must comply with the following Best Management Practices to minimize the discharge of FOG to the Graham Sanitary Sewer System. Failure to comply with any of these requirements is a violation of the City of Graham Fats, Oils and Grease Policy.**

**I. EMPLOYEE TRAINING**

**All Food Service Establishment (FSE) employees shall be properly trained and instructed to use the Enforceable Best Management Practices:**

- A. Train all employees in Enforceable Best Management Practices and other methods to reduce the volume of grease discharged to the sanitary sewer system. Train employees to be aware of problems created by grease in the sanitary sewer system, possible violations and fines and the cost of cleaning clogged pipes. Even a small amount of grease on each pot, pan or plate can be substantial when you serve many meals per day.
- B. All training shall be documented in writing and shall include the names of the instructor and employee as well as the date of the training. Records of Employee Training shall be maintained by the FSE for a period of three (3) years and shall be available to the Utility Director or his designee upon request.
- C. Employee Training shall include information on the following:
  1. **Dry Wipe Pots, Pans and Dishware Prior to Dishwashing:**  
Foods, fats, cooking oil and grease remaining in pots and pans should be dry wiped or scraped out into the trash prior to washing. This can substantially reduce FOG discharged to the grease interceptors. After wiping, pots, pans or dishware that contained grease they should be washed in sinks that flow to grease retention devices attached to the sanitary sewer.
  2. **Sweep Up Food debris on the floor:**  
Using the water hose as a broom and washing debris from the floor into the floor drains is strictly prohibited. This causes grease, food, detergents and other chemicals to enter the sanitary sewer system. Train staff to sweep up floor debris and put in the trashcans.

3. **Proper Disposal of Grease**

Pouring grease down any drain, hot flushing grease down any drain or pouring grease into any grease retention unit is strictly prohibited. All waste grease should be placed in a grease disposal container for pick-up by a grease recycling or disposal company.

**II. POST "NO GREASE" SIGNS**

Post a sign indicating "No Grease" above all kitchen sinks, on dishwashers and near other grease discharge outlets to serve as a constant reminder to employees to properly dispose of grease.

**III. EMPLOYEE TRAINING REQUIRED FOR FOOD SERVICE ESTABLISHMENTS WITH "INSIDE GREASE TRAPS" [UNDER-THE SINK, IN-FLOOR RECESSED, "POINT OF USE" GREASE TRAP [OR OTHER INSIDE LOCATION GREASE TRAP]**

- A. Employee training shall include information on the following:
1. Location, purpose and function of grease trap
  2. Proper cleaning considering manufacturers recommendations of grease trap.
  3. Inspection of grease trap filter, baffles and tee [if applicable]
  4. Proper disposal of grease from grease trap
  5. If grease traps are more than 50% full when cleaned, the cleaning frequency shall be increased.
  6. Proper written documentation of grease trap cleaning

**IV. FOR FOOD SERVICE ESTABLISHMENTS WITH "OUTSIDE" GREASE INTERCEPTORS**

If possible, have a manager or supervisor witness and/or verify grease interceptor cleaning/maintenance activities by the private service contractor to ensure the devices are being maintained and operating properly.