

ORDINANCE NO. 28

AN ORDINANCE OF THE UKIAH VALLEY SANITATION DISTRICT ESTABLISHING A GREASE INTERCEPTOR/TRAP POLICY

The Board of Directors of the Ukiah Valley Sanitation District hereby ordains as follows:

SECTION 28-1. PURPOSE, POLICY, AND ADMINISTRATION:

- (a) The purpose of this Ordinance is the regulation of the generation and disposal of Grease Interceptor waste for the protection of the City of Ukiah (City) Sewage Treatment POTW and the environment.
- (b) The objective of this Ordinance is to reduce the operational and maintenance cost of maintaining the POTW and ensure compliance with SWRCB permits, including the City's National Pollutant Discharge Elimination System (NPDES) permit by preventing the accumulation of Grease within the sewer collection system.
- (c) This Ordinance shall apply to Food Service Facilities within the Ukiah Valley Sanitation District (District) and to persons outside the District who, by contract or agreement with the City/District, are Users of the City's Sewage Treatment Plant.

SECTION 28-2. DEFINITIONS:

Unless a provision explicitly states otherwise, terms and phrases as defined in Ordinance No.12 of the District shall apply to the extent that they are not in conflict with the provisions of this Ordinance.

- (a) "Fats" shall mean substances that are primarily fatty acid esters of the alcohol glycerol, also called acylglycerols, neutral fats, or glycerides. They are the major components of depot or storage fats in POTW and animal cells, especially in the adipose (or fat) cells of vertebrates. This term may include any synthesized substance of a like nature.
- (b) "Food Service Facility" shall mean those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption by the public such as restaurant, commercial kitchen, caterer, hotel, school, hospital, prison, correctional facility, and care institution. These establishments 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.

- (c) “Grease” shall mean fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils and certain other non-fatty material from animal or vegetable sources, or from hydrocarbons of petroleum origins, commonly found in wastewater from food preparations and food service. Grease may originate from, but not be limited to, discharges from scullery sinks, pot and pan sinks, dishwashing machines, soup kettles and floor drains located in areas where grease-containing materials may exist.
- (d) “Grease Interceptor” shall mean a structure or device designed for the purpose of removing and preventing fats, oils, and grease from entering the sanitary sewer collection system. These devices are often belowground units in outside areas and are built as two or three chamber baffled tanks.
- (e) “Grease Trap” shall mean a device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. Such traps are typically compact under-the-sink units that are near food preparation areas.
- (f) “Inspector” shall mean the City of Ukiah Environmental Compliance Inspector, under the instruction and supervision of the City of Ukiah Director of Public Utilities and the City of Ukiah Wastewater Treatment Plant Supervisor, who is assigned to investigate compliance and detect violations of this Ordinance and shall also mean City of Ukiah Building Inspector, who under the supervision of the Building Official of the City of Ukiah, is assigned to inspect construction projects within the City of Ukiah limits to ensure compliance with City of Ukiah building ordinances and other relevant building ordinances.
- (g) “Minimum Design Capability” shall mean 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.
- (h) “POTW” or “Publicly Owned Treatment Works” means a treatment works which is owned by a municipality as defined by section

502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances that transfer wastewater to a POTW. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. For purposes of this ordinance, the terms "sanitary sewer system" and "POTW" may be used interchangeably.

- (i) "User" shall mean any person who contributes, causes or permits the contribution or discharge of wastewater into sewers within the Ukiah Valley Sanitation District's boundaries, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

SECTION 28-3. APPLICABILITY AND PROHIBITIONS:

- a) This ordinance shall apply to all non-domestic users of the Publicly Owned Treatment Works (POTW), as defined in Section 28-2 of this Ordinance.
- (b) Grease traps or grease interceptors shall not be required for residential users.
- (c) Facilities generating fats, oils, or greases as a result of food manufacturing, processing, preparation, or food service shall install, use, and maintain appropriate Grease Traps or Grease Interceptors as defined in Section 28-2 of this Ordinance. These facilities include but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels and motels, prisons, nursing homes, and any other facility preparing, serving, or otherwise making any foodstuff available for consumption.
- (d) No user may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, nonbiodegradable cutting oil, mineral oil, or any fats, oils, or greases of animal or vegetable origin into the POTW system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the treatment works into the environment.

SECTION 28-4. COMPLIANCE DATE:

- (a) On or after the effective date of the ordinance enacting this Ordinance, an existing facility shall be required to install an approved, adequately sized, and properly operated and maintained Grease Interceptor when any of the following conditions exist:
 - i It is found to contributing Grease in quantities sufficient to cause sanitary sewer line stoppages or necessitate increased maintenance on the sanitary sewer collection system in order to keep main line stoppages from occurring.
 - ii It is remodeling the food preparation or kitchen waste plumbing facilities in such a manner to be subject to a permit issued by the Department of Planning and Building.
- (b) Existing facilities required by this or other applicable ordinance to maintain a Grease Interceptor presently equipped with an undersized or improper Grease Interceptor shall, within thirty-six (36) months of the effective date of this ordinance, install an adequately sized Grease Interceptor in accordance with the specifications of this ordinance.
- (c) Existing facilities required by this or other applicable ordinance to maintain a Grease Interceptor that are not currently equipped with a Grease Interceptor shall, within eighteen (18) months of the effective date of this ordinance, install an appropriate and adequately sized Grease Interceptor in accordance with the specifications of this ordinance.
- (d) New facilities required by this or other applicable ordinances to maintain a Grease Interceptor shall install such a unit prior to commencement of discharge to the POTW.
- (e) Any requests for extensions to installation dates must be made in writing to the District, at least thirty (30) days in advance of the compliance date. The written request shall include the reasons for the grease generator's failure or inability to comply with the compliance date set forth, the additional time needed to complete the remaining work, and the steps to be taken to avoid future delays. The District shall determine the date for compliance. Requests based solely on monetary considerations will not be accepted.

SECTION 28-5. DISCHARGE CRITERIA:

- (a) Where Fats and Grease are a byproduct of food preparation and/or cleanup, reasonable efforts shall be made to separate Fats and Grease into a separate container for proper disposal. Fats and

Grease shall not be discharged to any drains or Grease Interceptors, except as contained in byproducts of food preparation and/or clean up. Such waste shall be placed in a container designed to hold such waste and either utilized by industry or disposed of at suitable locations. This also applies to residential users.

- (b) None of the following agents shall be placed directly into a Grease Interceptor, or into any drain that leads to the interceptor:
 - i Emulsifiers, de-emulsifiers, surface active agents, enzymes, degreasers, or any type of product that will liquefy Grease Interceptor wastes,
 - ii Any substance that may cause excessive foaming in the POTW, or
 - iii Any substance capable of passing the solid or semi-solid contents of the Grease Interceptor to the POTW.
- (c) The influent to Grease Interceptors or Grease Traps shall not exceed 140 degrees Fahrenheit.
- (d) Toilets, urinals, and other similar fixtures shall not discharge through a Grease Interceptor.
- (e) No food waste disposal unit or dishwasher shall be connected to or discharge into any Grease Interceptor or Grease Trap.

SECTION 28-6. GREASE INTERCEPTOR PERMIT:

- (a) Any Food Service Facility discharging Grease, oil or other objectionable material is required to obtain a permit from the District known as a "Grease Interceptor Permit".
- (b) All existing facilities must obtain a permit within three (3) years from the date this ordinance goes into effect.
- (c) All facilities will be subject to annual inspections. These inspections will be initiated within one year after the adoption of this ordinance. Inspection fees will be assessed as described in subsection **28-6(f)** of this ordinance.
- (d) "Grease Interceptor Permit" applications shall be completed and filed with the District. Plans shall be provided with the application indicating the location and design details for the proposed Grease Interceptor.

- (e) Permits shall be issued for a specified time not to exceed five (5) years. If a permittee is not notified by the District thirty (30) days prior to the expiration of the permit, the permit shall be extended one additional year. The terms and conditions of the permit may be subject to modification by the district during the life of the permit. The permittee shall be informed of any proposed changes in the permit at least thirty (30) days prior to the effective date of change. Any new conditions in the permit shall include a reasonable time schedule for compliance. After five (5) years from the original permit issue date, the permit shall be renewed by submitting a new permit application, however; no new application fee shall be assessed.
- (f) Permittees are required to pay a one-time application fee of \$100.00 and an annual inspection fee \$100.00. Annual inspection fees may be reduced or waived upon demonstration by the permittee that Fats, Oils, and Grease collected in Grease Interceptors, or alternate approved systems, have been recycled for conversion to biodiesel or other products as approved by the District. Documentation is subject to verification by the District.
- (g) Permits shall be issued only for specific uses for specific operations. As a result of any sale, lease, or transfer of the premises for which the permit was issued, a new permit shall be required. Any new or changed conditions of operation shall also require that a new permit be issued.
- (h) The permit may be revoked by the District if the permittee is found to be in violation of this chapter and who:
 - i Fails to install grease pretreatment devices as required by the permit;
 - ii Fails to fulfill reporting requirements or pretreatment maintenance as required by the permit;
 - iii Refuses reasonable access to the permittee's premise for the purpose of inspection or monitoring;
 - iv Violates conditions of the permit.
- (i) All permittees shall engage in Best Management Practices, as outlined in documentation provided to the permittee by the District with the Grease Interceptor Permit application.

SECTION 28-7. GREASE INTERCEPTOR PERMIT REQUIREMENTS:

- (a) Any new Food Service Facility discharging Grease, oil or other objectionable material is subject to Grease Interceptor

requirements. All such facilities must obtain prior approval from the District for Grease Interceptor sizing prior to or when submitting plans for a building permit.

- (b) Existing facilities with planned modification in plumbing improvements, with a building permit valuation of \$20,000 or more will be required to include plans to comply with the Grease Interceptor requirements. All existing facilities, determined by the District, to have a reasonable potential to adversely impact the sewer collection system will be notified of their obligation to install a Grease Interceptor within the specified period set forth in the notification letter.
- (c) Maintenance records on interceptor cleaning and pumping must be maintained for three (3) years and must be available for inspection on the premises.
- (d) Grease Interceptors required under this ordinance shall be installed outdoors unless the District authorizes the installation of an indoor Grease Interceptor/Trap or other alternative pretreatment technology and determines that the installation of a Grease Interceptor would not be feasible.

SECTION 28-8. REQUIRED REPORTING:

All permitted interceptor waste generators shall, at the time of permit renewal, submit to the District:

- (a) Copies of all manifests made by liquid waste transporters servicing their Grease Interceptor during past year;
- (b) A copy of the Interceptor Maintenance Log;
- (c) A copy of the Interceptor Service Contract; and
- (d) Any other information required by the Grease Interceptor Permit, including analysis of the discharge to the POTW of such pollutants as the District may require.

SECTION 28-9. GREASE INTERCEPTOR REQUIREMENTS:

- (a) Grease Interceptor sizing and installation shall conform to the current edition of the California Plumbing Code.

- (b) Grease Interceptors shall be constructed in accordance with design approved by the District and shall have a minimum of two compartments with fittings designed for Grease retention.
- (c) Grease Interceptors shall be installed at a location where it shall be easily accessible for inspection, cleaning, and removal of intercepted Grease. The Grease Interceptor may not be installed in any part of the building where food is handled. Location of the Grease Interceptor must meet the approval of the District.
- (d) All such Grease Interceptors shall be serviced and emptied of accumulated waste content as required in order to maintain Minimum Design Capability or effective volume. These devices should be inspected at least monthly. Users who are required to maintain a Grease Interceptor shall:
 - i. Provide for a minimum hydraulic retention time in accordance with the California Plumbing Code.
 - ii. Remove any accumulated Grease cap and sludge pocket as required.
 - iii. 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 into this pocket and thereby reduce the effective volume of the device.
- (e) Access manholes, with a minimum diameter of twenty-four (24) inches, shall be provided over each Grease Interceptor chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.
- (f) Grease Interceptors required under this Ordinance shall be installed in all food service facilities unless the District authorizes the installation of an indoor Grease Trap or other alternative pretreatment technology and determines that the installation of a Grease Interceptor would not be feasible. The food service facility bears the burden of demonstrating the installation of a Grease Interceptor is not feasible. If a facility believes the installation of a Grease Interceptor is infeasible, because of documented space constraints, the request for an alternative grease removal device shall contain the following information:

- i Location of sewer main and easements in relation to available exterior space;
- ii General information about existing plumbing at the site.

SECTION 28-10. GREASE TRAP REQUIREMENTS:

- (a) Upon approval by the District, a Grease Trap complying with the provisions of this section must be installed in the waste line leading from sinks, drains, and other fixtures or equipment in Food Service Facilities where Grease may be introduced into the drainage or sewage system in quantities that can effect line stoppage or hinder sewage treatment or private sewage disposal.
- (b) Grease Traps sizing and installation shall conform to the California Plumbing Code.
- (c) Grease Traps shall be maintained in efficient operating conditions by periodic removal of the accumulated Grease. No such collected Grease shall be introduced into any drainage piping, or public or private sewer.
- (d) No food waste disposal unit or dishwasher shall be connected to or discharge into any Grease Trap.
- (e) Wastewater in excess of 140 degrees Fahrenheit shall not be discharged into a Grease Trap.

SECTION 28-11. VIOLATION:

- (a) It is unlawful for any user to discharge into the POTW in any manner that is in violation of this Ordinance, or of any condition set forth in this Ordinance. Additionally, a person commits an offense if the person causes or permits the plugging or blocking of, or otherwise interferes with or permits interference with a Grease Interceptor or the POTW, including alteration or removal of any flow constricting devices so as to cause flow to rise above the design capacity of the interceptor.
- (b) No person, and/or facility shall discharge Grease to the POTW, except as expressly authorized by this Ordinance. If such discharge occurs, the person or facility shall be considered in violation of this Ordinance and subject to the remedies described herein. This includes non-permitted facilities.
- (c) In addition to prohibiting certain conduct by natural persons, it is the intent of this Ordinance to hold a corporation, association, LLC,

LLP, PS or other entity of organization legally responsible for prohibited conduct performed by an agent acting on behalf of such an entity and within the scope of his office or employment.

- (d) The District may recover the fees and costs imposed by this Section in a civil action and may pursue any other remedy available at law or inequity to address a violation of this Ordinance or to enforce compliance with it.

SECTION 28-12. ENFORCEMENT:

- (a) Except as provided herein, for a period of one year following adoption of this ordinance, although installation of Grease Traps will be required to be installed, no enforcement actions will be taken under this ordinance for failure to achieve limits on Grease discharges from the facility. If, during this one year period an obstruction of a sewer main(s) occurs that causes a 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 sewer main(s), the District will take appropriate enforcement actions, as stipulated in Sewer Use Ordinance, against the generator or contributor of such Grease.
- (b) Minor Violation - Any person violating any of the provisions of this Ordinance shall be subject to a written warning for the first violation, a \$500 civil penalty for the second violation, a \$1,000 civil penalty for the third violation, and a \$2,000 civil penalty for the fourth violation within a two- year period. Consistent violations will result in a \$500 increase in civil penalty and may result in termination of service.
- (c) Major Violation - If the POTW determines that a User is responsible for a blockage of a collection system line:
 - i For the **first offense**, a field citation with date for compliance shall be issued to the responsible person on site. The focus of the citation shall be education. The cost of removal of the blockage shall not be assessed for the first occurrence. However, the facility shall be notified of the cost that they may incur.
 - ii For the **second offense** within a twelve (12) month period, a Notice of Violation shall be issued with a penalty of no less than \$1,000.00 in addition to the cost of the removal both the first and second blockages to be assessed. The discharger

shall be informed that a future occurrence will result in termination of sewer service.

- iii For the **third offense** within a two-year period, a Notice of Violation shall be issued with a penalty of no less than \$2,500.00 per violation plus the cost of the removal of the blockage and termination of sewer service.

SECTION 28-13. APPEAL PROCESS:

- (a) The UVSD Board of Directors shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Inspector in the enforcement or administration of this ordinance.
- (b) Appeals shall be made in writing to the Chairman of the Board of Directors not less than thirty (30) days prior to the UVSD Board of Directors meeting date at which this matter would be heard as a regular agenda item.

SECTION 28-14. AUTHORIZATION:

District representatives are authorized to promulgate such rules and regulations as shall be reasonable and necessary to carry out the provisions of this ordinance according to its terms and intent.

SECTION 28-15. SEVERABILITY:

If any part or parts of this ordinance shall be held to be invalid, such invalidity shall not affect the remaining parts of this ordinance. The District Board of Directors declares that it would have passed remaining parts of this ordinance, if it had known that such part or parts thereof would be declared invalid.

SECTION 28-16. EFFECTIVE DATE:

This ordinance shall become effective thirty (30) days after adoption.

Introduced by title only on November 15, 2006, by the following roll call vote:

AYES: Directors Crane, Wagenet, and Wattenburger
NOES: None
ABSENT: None
ABSTAIN: None

PASSED AND ADOPTED by the Board of Directors of the Ukiah Valley Sanitation District, County of Mendocino, State of California, on this 14th day of December, 2006, by the following roll call vote:

AYES: Directors Crane, Wagenet, and Wattenburger
NOES: None
ABSENT: None
ABSTAIN: None

Jim Wattenburger, Chairman

ATTEST:

Kristi Furman
Clerk of the Board

APPROVED AS TO FORM:

Jeanine B. Nadel
County Counsel