



LYNNWOOD
WASHINGTON

**SEWER PRETREATMENT
FATS, OIL & GREASE (FOG)
CONTROL MANUAL**

Public Works Department
Updated July 2011

TABLE OF CONTENTS

<u>Section</u>		<u>Page</u>
I.	PURPOSE	1
II.	AUTHORITY	1
III.	FOG PRETREATMENT REQUIRED	1
IV.	GREASE REMOVAL SYSTEM REQUIRED - WHEN	2
V.	FOG CONTROL PLANS – CONTENTS	2
VI.	WASHING FACILITIES, GREASE RACK - PRETREATMENT	3
VII.	FOG PRETREATMENT FACILITIES – INSTALLATION AND MAINTENANCE....	3
VIII.	GREASE REMOVAL SYSTEM ADDITIVES	4
IX.	GREASE REMOVAL SYSTEM SIZING	4
X.	RECORD KEEPING / REPORTING REQUIREMENTS	4
XI.	PERMIT FOR INSTALLATION OF GREASE INTERCEPTOR.....	5
XII.	INSPECTION OF FACILITIES	5
XIII.	RIGHT TO ENTER	5
XIV.	REPORT TIMING.....	5
XV.	VIOLATIONS - REMEDIES.....	5
XVI.	FOG PRETREATMENT FACILITY MAINTENANCE – COMPLIANCE WITH CONTROL PLAN.....	6
XVII.	NOTICE OF VIOLATION AND ADMINISTRATIVE ORDER	6
XVIII.	ADMINISTRATIVE HEARING	7
XIX.	CIVIL PENALTIES.....	7
XX.	CIVIL LIABILITY FOR EXPENSES AND FINES	8
XXI.	JUDICIAL REVIEW	9
XXII.	RIGHT TO WRITTEN INTERPRETATION OF CHAPTER	9
XXIII.	SEVERABILITY.....	9

I. PURPOSE

This policy sets forth uniform requirements for Food Service Establishments or any business that discharge Fats, Oils and Greases (FOG) into the wastewater to the City of Lynnwood Publicly Owned Treatment Works (POTW). The objectives of this policy are:

- A. To prevent the introduction of Fats, Oils and Grease into the POTW by FOG dischargers that will interfere with the operation of the POTW;
- B. To prevent blockages caused by Fats, Oils and Grease in the sanitary sewer collection system.

This policy authorizes inspection and regulation of these users; authorizes monitoring, compliance and enforcement activities; establishes administrative review procedures; requires user record keeping and provides for the issuance of control mechanisms if deemed necessary by the Director.

Except as otherwise provided herein, the Director shall administer; implement and enforce the provisions of this policy. Any powers granted to or duties imposed upon the Director may be delegated by the Director to other City of Lynnwood personnel. The Director may create administrative guidelines to implement the provisions of this ordinance.

II. AUTHORITY

The authority by which the City of Lynnwood administers this Sewer Pretreatment FOG Control Policy is based on and referenced by the following:

- 1. The Clean Water Act (Federal Water Pollution Control Act);
- 2. Environmental Protection Agency;
- 3. Standard Methods for the Examination of Water and Wastewater, latest approved edition.

III. FOG PRETREATMENT REQUIRED

All Food Service Establishments that serve or prepare food or any other establishment from which a considerable amount of FOG may be introduced to the sewer system shall have an adequate grease removal system installed and/or exercise proper kitchen best management practices to ensure that excess concentrations of FOG are not discharged to the POTW. Take-out food establishments or other establishments that prepare food, but do not cook in oil or grease, and who serve food only in disposable containers, may be exempted from this requirement, provided their discharges will not violate the general discharge prohibitions of this chapter.

These pretreatment facilities must be grease interceptors or other approved grease removal systems installed in the waste line leading from sinks, drains, or other fixtures where FOG may

be discharged. The grease interceptors and other grease removal systems must meet, at a minimum, the specifications of the current Uniform Plumbing Code as adopted by the city at the time of construction. The Director may grant a variance on the type or size of grease removal system required as deemed appropriate under extraordinary circumstances. Dischargers must maintain these systems in a manner that will always prevent fat waste, oil or grease from being carried into the sewer system. Fat waste, oil or grease removed from such a system shall not be disposed of in sanitary or storm sewers.

Containment of fats, oils and grease shall be in approved containers and the surrounding area clean of any residue. Containers shall be inside a covered enclosure that is kept clean and capable of containing any and all spillage from the containers.

IV. GREASE REMOVAL SYSTEM REQUIRED - WHEN

If any Food Service Establishments where FOG may be introduced to the sewer system are sold or leased, and the new owners or operators must apply for a new business license, they shall be required to install or hook up to a grease removal system within six (6) months. In the event that an existing business is not capable of fully utilizing the existing grease removal system due to faulty or incomplete plumbing, or the existing grease removal system is inadequate, the business shall, within twelve (12) months of notification, make whatever corrections or upgrades necessary to bring their system into compliance.

The city shall approve of all control plans or installations of grease removal systems. The cost of grease interceptor permits shall be as shown in Chapter 3.104 Lynnwood Municipal Code (LMC).

V. FOG CONTROL PLANS – CONTENTS

The goal of the FOG control plan is to implement reasonable and technically feasible controls of visible or free floating FOG. The basic components of the FOG control plan should include:

- A. A written policy articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals;
- B. A description of the facility type and a summary of the products made and/or service provided;
- C. Quantities of FOG brought into the facility as raw product, amounts contained in products and quantities discharged to the sewer;
- D. Schematics of process areas illustrating drains and discharge points connected to the sewer;
- E. A description of current reduction, recycling and treatment activities;
- F. Identification of a full range of potentially feasible reduction opportunities;

- G. Specific performance goals, and implementation schedule; and
- H. Signature of owner.

VI. WASHING FACILITIES, GREASE RACK - PRETREATMENT

Dischargers who operate automatic and coin-operated laundries, car washes, filling stations, commercial garages or similar businesses having any type of washing facilities or grease racks and any other dischargers producing grit, sand, oils, or other materials which have the potential of causing partial or complete obstruction of the building sewer or other areas in the sewer system shall install approved interceptors or tanks in accordance with the latest specifications adopted by the city of Lynnwood such that excessive amounts of oil, sand and inert solids are effectively prevented from entering the POTW sewer.

VII. FOG PRETREATMENT FACILITIES – INSTALLATION AND MAINTENANCE

All pretreatment facilities to prevent the discharge of fat waste, oil, or grease shall be installed, maintained and operated by the discharger at his own expense. The installation shall be kept in continuous operation at all times, and shall be maintained to provide efficient operation. Cleaning of an interceptor style Grease Removal System (GRS) must be performed by a service contractor qualified to perform such cleaning. Trap style GRS may be maintained by the establishment as long as all the proper procedures for the cleaning and disposing of all waste materials are done in the proper manner.

At a minimum, interceptor-style GRSs shall be cleaned at least once every (ninety) 90 days and trap-style GRSs cleaned at least biweekly. These required frequencies may be extended with the approval of the Director. GRSs must be cleaned whenever the combined thickness of the floating greases and settled solids is equal to or greater than twenty five percent (25%) of the total liquid depth in the GRS. When cleaned, an interceptor-style GRS must be completely pumped out, all solids removed, solidified grease scraped from the interior and the structure and all internal plumbing inspected for damage and corrosion. The GRS shall be refilled with cold water prior to being placed back into operation. If repairs are required, they shall be performed within seven (7) days.

When cleaned, the trap style GRS must have surface grease and oil removed, settled solids removed, all sides scraped, removable parts removed and cleaned, be inspected for damage and corrosion, and be properly reassembled. If repairs are required, they shall be performed within seven (7) days.

Material that is removed in the process of cleaning a GRS shall not be discharged back into the GRS, any part of the POTW, any private sewer, any drainage piping, or storm sewer system. All materials removed shall be handled and disposed of in accordance with Federal, State, County and Local laws, rules and regulations. In addition to the maintenance required above, Automatic Grease Removal Systems shall be maintained in accordance with the manufacturers' guidelines.

If a failure to maintain settling tanks, grit traps, grease interceptors, or oil/water separators or any other grease pretreatment facility results in partial or complete blockage of the building sewer or other parts of the POTW, adversely affects the treatment or transmission capabilities of the POTW, or requires excessive maintenance by the city, the discharger responsible for the facilities shall be subject to the remedies, including enforcement and penalties as specified in this manual.

VIII. GREASE REMOVAL SYSTEM ADDITIVES

The use of any additive, such as enzymes, chemicals, or bacteria, as a substitute for grease traps or interceptors or the maintenance of grease traps or interceptors is prohibited. In no case shall any additive that emulsifies fats, oils or grease be used. Any use of additives as a supplement to grease interceptors shall first be authorized in writing by the Director prior to their use by the facility owner. MSDS sheets and any other applicable information concerning the composition, frequency of use and mode of action of the proposed additive shall be sent to the City together with a written statement outlining the proposed use of the additive. Based on the information received and any other information solicited from the potential user or supplier, the City shall allow or deny the use of the additive in writing. Permission to use any specific additive may be withdrawn by the City at any time if violations of this chapter occur that can be demonstrated to be due to the use of the additive.

IX. GREASE REMOVAL SYSTEM SIZING

The type (Grease Trap or Grease Interceptor) and size of the grease removal system shall be based on the 'Sizing of Grease Interceptors' formula as defined in the currently adopted Uniform Plumbing Code.

In no case shall a grease trap smaller than twenty (20) gallons/minute or larger than fifty five (55) gallons/minute be installed without approval of the Director.

In no case shall a grease interceptor smaller than fifteen hundred (1500) gallons be installed without prior approval of the Director. The maximum size for an interceptor shall be four thousand (4000) gallons. If the calculated minimum size is larger than this, two interceptors of approximately equal size shall be installed in series. If the calculated minimum size is larger than eight thousand (8000) gallons, two four thousand (4000) gallon interceptors shall be installed in series.

X. RECORD KEEPING / REPORTING REQUIREMENTS

Users subject to this ordinance shall document all cleaning and maintenance activities performed on their Grease Removal System. Copies of all cleaning receipts shall be forwarded to the City. These receipts shall be posted near the Grease Removal System and retained for three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the POTW, or where the user has been specifically notified of a longer retention period required by the Director. Where the Director has determined that a user must provide written reports, these reports shall be submitted in accordance with the requirement of the Director.

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report by the City shall govern.

XI. PERMIT FOR INSTALLATION OF GREASE INTERCEPTOR

A permit application for the installation of a grease interceptor shall be submitted to the department of public works for processing as required by LMC 2.44.040.

XII. INSPECTION OF FACILITIES

Authorized personnel of the Director may inspect the wastewater facilities and equipment of any POTW user at any time during normal business hours to ascertain whether the applicable City ordinances, rules and regulations, industrial discharge permit requirements and applicable national categorical pretreatment standards are being met. Persons or occupants of premises where industrial wastewater is produced or discharged shall allow any authorized representative of the Director ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, record examination or in the performance of his official duties as a POTW employee. The POTW shall have the authority to set up, on the user's property, such devices as are necessary to conduct sampling, inspection, compliance monitoring or flow metering operations. Where a discharger has security measures in force which would require proper identification and clearance before entry onto their premises, the discharger shall make all necessary arrangements with their security personnel so that upon suitable and proper identification authorized wastewater management personnel, including but not limited to employees of the City, the Washington State Department of Ecology, and the U.S. Environmental Protection Agency, will be permitted to enter the premises without delay for the purpose of performing their specific responsibilities and duties.

XIII. RIGHT TO ENTER

In the event that the Director or his designee is refused admission to the discharger's premises, the Director may cause water service to the premises in question to be discontinued until the POTW agents have been afforded reasonable access to the premises to accomplish any required inspection, sampling or flow monitoring.

XIV. REPORT TIMING

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

XV. VIOLATIONS - REMEDIES

Whenever the Director or his designee finds that any person has violated or is violating any of the provisions of this chapter, he may take one or more of the following actions:

- A. Emergency suspension of service and permit;
- B. Termination of treatment services and permit revocation;
- C. Notice of violation and administrative order;
- D. Assess civil penalties;
- E. Seek criminal penalties;
- F. Seek any other legal or equitable remedy.

XVI. FOG PRETREATMENT FACILITY MAINTENANCE – COMPLIANCE WITH CONTROL PLAN

A violation shall occur if:

- A. There are any discharges of any substance or FOG in excess of the provisions or restrictions of this chapter.
- B. There is any failure to maintain grease or grit interceptors or oil/water separators which causes maintenance on any POTW sewer line to be greater than once every two years caused by excessive oil, grease, or fat buildup in the sewer lines; or excess buildup of sand, gravel or other materials clogging the sewer lines. The lack of any device to prevent discharge of grease, oil, fats, sand, gravel or any other materials which will cause excessive maintenance of the sewer lines shall not relieve the discharger of the responsibility of liability for any costs to city for excessive maintenance and/or other costs incurred by the city.
- C. A discharger does not comply with their approved FOG control plan.

XVII. NOTICE OF VIOLATION AND ADMINISTRATIVE ORDER

The Director, upon finding a discharger has violated or is violating any of the provisions of this chapter or of any permit issued under this chapter, may serve upon such discharger a written notice of violation and administrative order stating the nature of the violation(s) and providing a reasonable time, not to exceed forty five (45) days, except as otherwise provided for herein, for the satisfactory correction thereof. The order shall establish specific actions in a compliance schedule to be taken and/or procedures to be implemented by the discharger to assure compliance with this chapter and with the permit to discharge. The notice and order shall be sent to the user via certified mail or perfected pursuant to personal service. The discharger may request a meeting with the Director to discuss the violation(s) and compliance schedule within ten (10) days following issuance of the administrative order. The order may be modified following the written response or meeting to include a revised schedule to correct the violations, if the discharger demonstrates to the director that just cause exists for such modification. The

final date of compliance in any modified compliance schedule shall not extend beyond one hundred eighty (180) days from date of issuance of the original administrative order. Failure to comply with any terms or requirements of a compliance schedule order by the discharger shall be an additional and independent grounds for civil or criminal penalties and/or termination of wastewater treatment services and revocation of the wastewater discharge permit.

XVIII. ADMINISTRATIVE HEARING

- A. A discharger shall have the right to an administrative hearing before the Director or his designee to contest the city's determination:
 - 1. To suspend the discharger's wastewater services and/or to suspend the discharger's wastewater discharge permit;
 - 2. To terminate the discharger's wastewater services and to revoke the discharger's wastewater discharge permit;
 - 3. To impose civil penalties against the discharger; or
 - 4. That the discharger has violated a compliance schedule order.
- B. Any hearing pursuant to this section must be requested by the discharger in writing within 14 days after the discharger receives notice of the city's determination. The discharger's written request for hearing shall be filed with the Director. The city shall conduct the hearing within fifteen (15) business days of the receipt of the request (or within five (5) business days if the discharger is contesting suspension of wastewater services and wastewater discharge permit).
- C. The administrative hearing authorized by this section shall be conducted by the rules established in Chapter 2.22 LMC.

XIX. CIVIL PENALTIES

Any person who violates any of the provisions of this chapter specifically listed in subsections (A) through (D) of this section, or any permit or administrative order issued under this chapter which contains such provisions, shall be subject to a civil penalty for each violation. Nothing in the section shall prevent the city from taking action or seeking relief under any other sections of this chapter for any violations of the provisions of this chapter or any permit issued hereunder.

- A. If reports required by permit, this chapter or federal pretreatment regulations are submitted later than thirty (30) days after they are due the discharger shall be subject to civil penalties of \$25.00 per day for a maximum of twenty (20) working days. The penalty shall then be increased to \$100.00 per day with a maximum fine of \$1,000. In the event the reports have not been submitted at the time the maximum penalty is imposed, the city shall seek remedies under LMC 14.60.645.

- B. If any of the actions prescribed in any compliance schedule established by permit or administrative order are not complete within thirty (30) days of the time they are required to be complete, the discharger shall be subject to civil penalties of \$100.00 per day for a maximum of sixty (60) days for each day the action(s) have not been completed. In the event the actions have not been completed ninety (90) days after the date scheduled in the permit or order the city shall seek remedies under LMC 14.60.645.
- C. If a discharger fails to maintain grease, oil and/or sand removal systems or has no system to remove grease, oil or sand which results in excessive maintenance by the city of the POTW, the discharger shall be subject to a civil penalty of \$500.00 which shall be added to the costs incurred by the city to perform the maintenance. If excessive maintenance is required a second time within a three (3) year period, the penalty shall be \$1,000 which shall be added to the costs of maintenance by the city. In the event excessive maintenance continues, the city shall seek remedies under LMC 14.60.645. A discharger shall be subject to a civil penalty of \$100.00 for discharge of any substance or FOG in excess of the provisions or restrictions of this chapter, or for failure to comply with an approved FOG control plan, for each and every day that the violation continues.
- D. Failure to provide accurate or complete information on any wastewater discharge reports pursuant to LMC 14.60.504(F) or the requirements of a discharge permit shall result in a civil penalty of \$100.00 for the first offense. Thereafter the discharger shall be subject to remedies under LMC 14.60.645.

In addition to the assessments described above, any costs incurred by the city, including attorneys' fees, due to violations subject to civil penalty shall be added to the total amount of the civil penalty assessment pursuant to LMC 14.60.640.

XX. CIVIL LIABILITY FOR EXPENSES AND FINES

Any discharger violating provisions of this chapter shall be liable for any expense, loss or damage caused to the POTW by reason of such violation, including increased costs for sewage treatment, sludge treatment and disposal and POTW operation and maintenance expenses when such increased costs are the result of the discharger's discharge. If the discharger discharges pollutants that cause the city to violate any condition of its NPDES permit and to be fined by the United States Environmental Protection Agency or the state for such violation, the discharger shall be liable to the city for the total amount of the fine assessed against the city, including, without limitation, all legal, sampling, analytical and Criminal penalties.

Except as provided for in LMC 14.60.635, any person who willfully violates any of the provisions of this chapter or any of the requirements contained in a discharge permit issued under this chapter, or continues any violation(s) beyond the time limit(s) specified in LMC 14.60.635 shall be guilty of a gross misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding \$5,000 or by imprisonment in the city jail for a period not exceeding one year, or both such fine and imprisonment. Each day's violation of the provisions of this chapter may be deemed a separate offense.

XXI. JUDICIAL REVIEW

Any decision of the hearing examiner rendered pursuant to LMC 14.60.630 may be reviewed only by superior court. The review shall be initiated by a petition filed by the discharger. Such review shall be filed no later than fourteen (14) days after the discharger has received notice of the decision of the hearing examiner.

XXII. RIGHT TO WRITTEN INTERPRETATION OF CHAPTER

Any discharger or any interested party shall have the right to request an interpretation or ruling by the city on any matter covered by this chapter. The request must be in writing and must be addressed to the city's director of public works. The city shall provide a written response within ten (10) working days. A request pursuant to this section shall not stay or otherwise affect enforcement proceedings.

XXIII. SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this chapter.