

Exhibit P2: Sewer Pretreatment Requirement Millhaven Site

Sec. 30-40. - General provisions.

- (a) *Purpose and policy.* This article sets forth uniform requirements for users of the wastewater collection and publicly owned treatment works (POTW) for the City of Monroe and enables the city to comply with all applicable state and federal laws including the Clean Water Act (33 U.S.C. 1251 et seq.), and the General Pretreatment Regulations (40 CFR Part 403). The objectives of this article are:
- (1) To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW;
 - (2) To prevent the introduction of pollutants into the POTW which will pass through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;
 - (3) To ensure that the quality of the wastewater treatment plant sludge is maintained at a level which allows its use and disposal in compliance with applicable statutes and regulations;
 - (4) To protect POTW personnel who may be affected by wastewater and sludge in the course of their employment and to protect the general public;
 - (5) To improve the opportunity to recycle and reclaim wastewater and sludge from the POTW;
 - (6) To provide for fees for the equitable distribution of the cost of operation, maintenance and improvement of the POTW; and
 - (7) To enable the city to comply with its NPDES permit conditions, sludge use and disposal requirements and any other federal or state laws to which the POTW is subject.

This article shall apply to all industrial users and existing and new commercial and nonresidential users and all multiple family dwellings where food is prepared, cooked, and/or dispensed that connect to the City of Monroe's Sanitary Sewer, when, in the opinion of the pretreatment coordinator (PC), it is necessary to prevent fats, oils, and greases (FOG) in quantities sufficient to cause sanitary sewer line restriction or necessitate increased sewer collection or POTW maintenance. The article authorizes the issuance of wastewater discharge permits and commercial permits; authorizes monitoring, compliance and enforcement activities; establishes administrative review procedures; requires industrial and commercial user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

- (b) *Administration.* Except as otherwise provided herein, the manager of the sewer department shall administer, implement and enforce the provisions of this article. Any powers granted to or duties imposed upon the manager may be delegated by the manager to other city personnel.
- (c) *Definition of terms.* For the purposes of this section, all terms not defined herein shall take the meaning given in the article. (Some terms are repeated from the article for convenience.) The following words, terms and phrases when used in this article are, for the purposes thereof, defined as follows:
- (1) *Act or the act.* The Federal Water Pollution Control Act 33 (U.S.C. 1251, et seq.) as amended by Federal Water Pollution Control Act amendments of 1972 (P.L. 92-500) and subsequent amendments.
 - (2) *Approval authority.* The state director in a NPDES state with an approved state pretreatment program and the administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.
 - (3) *City attorney.* The attorney-at-law who is hired by the City of Monroe to represent it in the state court and the United States court. This term shall include any assistants to the city attorney.
 - (4) *Assistant pretreatment coordinator.* The person, who assists the pretreatment coordinator (PC), and in the absence of the pretreatment coordinator, is responsible for the enforcement of regulations intended to protect public owned treatment works (POTWs) and the environment.
 - (5) *Authorized representative of industrial user.* A corporate officer (president, vice-president, secretary or treasurer) if the user is a corporation; or a general partner or proprietor if the user is a partnership or sole proprietorship, respectively; or a duly authorized representative who is responsible for the overall operation or for environmental matters of the facility and is designated by written authorization to the city from the corporate officer, partner or proprietor.
 - (6) *BOD (biochemical oxygen demand).* BOD is the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures of five (5) days at twenty (20) degrees Celsius, expressed in parts per million by weight, or milligrams per liter (mg/l).
 - (7) *Building drain.* Building drain is that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes (not including storm drains) inside the walls of the building and which conveys it to the building sewer, ending five (5) feet outside the inner fact of the building.
 - (8) *Bypass.* The intentional diversion of wastestreams from any portion of an industrial users treatment facility.
 - (9) *Building sewer.* Building sewer is the piping extending from the building drain to the point of connection with public sewer or other place of disposal.

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- (10) *Categorical standards.* National categorical pretreatment standards.
- (11) *City.* City means City of Monroe.
- (12) *COD (chemical oxygen demand).* COD is the quantity of oxygen utilized in the chemical oxidation of the chemically oxidizable carbonaceous contents found within the waste water sample, expressed in milligrams per liter (mg/l) or parts per million (ppm).
- (13) *Code.* The code is the "Sanitary Code, State of Louisiana" as prepared by the division of health, and promulgated by the Louisiana Health and Human Resources Administration or their successors in function as printed January 1, 1974, and all revisions.
- (14) *Composite sample.* The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.
- (15) *Cooling water.* The water discharged from any use such as air-conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (16) *Control authority.* The term "control authority" shall refer to the manager of the sewer department. (See subsection (a)(27) of this section).
- (17) *Dilution.* An increase in the use of process waters or other waters as a partial or complete substitute for adequate treatment to achieve compliance with the standards for wastewater discharge.
- (18) *Discharge limit.* The maximum concentration of a pollutant allowed to be discharged at any time.
- (19) *Direct discharge.* The discharge of treated or untreated waste water directly to the waters of the State of Louisiana.
- (20) *Environmental Protection Agency or EPA.* The U.S. Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of said agency.
- (21) *FOG (fats, oils and grease).* A liquid or solid material comprised primarily of fat. Oil or grease from animal or vegetable sources.
- (22) *Food service establishment (FSE).* Any establishment that cooks, prepares and/or dispenses food. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for food.
- (23) *Garbage.* Garbage is the solid waste matter resulting from the preparation, cooking, dispensing of food or from the handling, storage, or sale of produce or other food product.
- (24) *Grab sample.* A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (25) *Grease interceptor.* An interceptor of less than one hundred twenty-five (125) gallon capacity which is designed and installed so as to separate and retain grease and which is generally installed indoors entirely above grade.
- (26) *Grease trap.* An interceptor of at least one hundred twenty-five (125) gallon capacity which is designed and installed so as to separate and retain grease and which is generally installed below grade outdoors with provisions for above grade accessibility for cleaning purposes.
- (27) *Health department.* The health department is the commissioner and state health officer of the State of Louisiana or his duly authorized representative.
- (28) *Holding-tank waste.* Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- (29) *Indirect discharge.* The introduction of pollutants into the POTW from any nondomestic source regulated under 307(b), (c), or (d) of the Clean Water Act.
- (30) *Industrial user.* A source of indirect discharge.
- (31) *Industrial waste.* Industrial waste is the liquid waste resulting from industrial or other technical processes, trade, or business, distinct from sanitary sewage.
- (32) *Interference.* The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the city's NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with section 405 of the Act (33 U.S.C. 1345) or a criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, 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 disposal of use employed by the POTW.
- (33) *Infiltration.* Water, other than waste water, that enters a sewerage system (including sewer service connections) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from inflow.
- (34) *Inflow.* Water, other than waste water, that enters a sewerage system (including sewer service connections) from sources such as roof leaders, cellar drains, yard drains, area drains, foundation drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration.

- (35) *Infiltration/inflow*. The total quantity of water from both infiltration and inflow without distinguishing the source.
- (36) *Manager of the sewer department*. The manager of the sewer department is the person duly designated by the governing authority to oversee and supervise the activities incident to the operation, maintenance, and administration of the sewage works, or his authorized deputy, agency, or representative.
- (37) *National [federal] categorical pretreatment standard or pretreatment standard*. Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with section 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405—471.
- (38) *National pollution discharge elimination system or NPDES permit*. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).
- (39) *National prohibitive discharge standard or prohibitive discharge standard*. Any regulation developed under the authority of section 307(b) of the Act and 40 CFR, section 403.5.
- (40) *Natural outlet*. Natural outlet is any outlet into a ditch, water course, pond, lake, or any other stream or body of surface water.
- (41) *New source*. Any industrial user discharge from a building, structure, facility or installation, the construction of which commenced after the publication of a proposed categorical pretreatment standard, which will be applicable to the discharge, provided that:
- The building, structure, facility or installation is constructed at a site which no other user is located; or
 - The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing user; or
 - The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing user at the same site.
- (42) *Nuisance*. Nuisance is that which is dangerous to human life or detrimental to health; whatever building, structure, or premises not sufficiently ventilated, sewerred, drained, cleaned, or lighted in reference to intended or actual use; and whatever renders the air or human food, drink, or water supply unwholesome.
- (43) *Official notice*. Official notice is any notice issued by the manager of the sewer system by the following means:
- Certified U.S. Mail (return receipt).
 - Hand delivery.
 - Posting of such notice in a conspicuous place on premises.
- (44) *Pass through*. A discharge which exits the wastewater treatment plant into receiving waters in quantities or concentrations which, alone or in conjunction with other discharges, is a cause of violation of the city's NPDES permit.
- (45) *Payment of fees*. The payment by check or money order with the check clearing the city's bank and made payable to the City of Monroe or to the city's successors in function.
- (46) *Person*. Person includes any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, of their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
- (47) *pH*. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- (48) *Plumbing*. The practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping fixtures, appliances, and appurtenances in connection with any of the following: Sanitary drainage or storm drainage facilities, the venting system and the public or private water supply systems, within or adjacent to any building, structure, or conveyance; also, the practice and materials used in the installation, maintenance, extension, or alteration of storm water, liquid waste or sewerage and water supply systems of any premises to their connection with any point of public disposal or other acceptable terminal.
- (49) *Pollution*. The manmade or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (50) *Pollutant*. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand cellar dirt and industrial, municipal, and agricultural waste discharged into water.
- (51) *Pretreatment or treatment*. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in waste water to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process change, or other means, except as prohibited by 40 CFR, section 403.6(d).

- (52) *Pretreatment coordinator.* The person responsible for the enforcement of regulations intended to protect public owned treatment works (POTWs) and the environment.
- (53) *Pretreatment requirements.* Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.
- (54) *Pretreatment standard.* A discharge prohibition as listed in [section 30-45](#) of this article, or a National Categorical Pretreatment Standard or a National Prohibitive Discharge Standard.
- (55) *Properly shredded garbage.* Properly shredded garbage is garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch in any dimension.
- (56) *Publicly owned treatment works (POTW).* A treatment works as defined by section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the city. This definition includes any sewers that convey waste water to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this article, "POTW" shall also include any sewers that convey waste waters to the POTW from persons outside the city who are, by contract or agreement with the city, users of the city's POTW.
- (57) *Public sewer.* Public sewer is a sewer owned or controlled by the city to which property owners in the vicinity may have access. In general, the public sewer includes the main sewer in the street and the service branch, if any, to the curb or to the property line of the owner having access to the public sewer.
- (58) *POTW treatment plant.* That portion of the POTW designed to provide treatment to waste water.
- (59) *SS (suspended solids).* Suspended solids shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.
- (60) *Sanitary manner.* Sanitary manner means the following:
- Protect the public health, safety and welfare;
 - Prevent land, water or air pollution;
 - Prevent the spread of disease and the creation of nuisances;
 - Conserve natural resources;
 - Enhance the beauty and quality of the environment.
- (61) *Sanitary sewer.* A sewer intended to only carry sanitary sewage or industrial wastes or a combination of both, and to which storm, surface, and ground water are not intentionally admitted.
- (62) *Sanitary sewage.*
- Domestic waste water with storm and surface water excluded.
 - Waste water discharging from the sanitary conveniences of dwellings (including apartment houses and hotels) office buildings, industrial plants, or institutions.
- (63) *Sewage.* Sewage means combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm water as may be inadvertently present.
- (64) *Sewage normal.* Sewage normal is sewerage having the following limiting characteristics:
- BOD five (5) days, twenty (20) degrees centigrade: 200 mg/l (max.)
 - Chlorine demand fifteen (15) minutes sixty-eight (68) degrees Fahrenheit: 25 mg/l (max.)
 - Suspended solids: 200 mg/l (max.)
 - Hydrogen ion concentration (pH): 5.0 to 9.0
 - Grease: 100 mg/l (max.)
 - Temperature: 125°F (max.)
- (64) *Sewer.* The pipe or other conduit outside a building for conveying sewage.
- (65) *Sewage treatment plant.* Sewage treatment plant is any arrangement of equipment, devices and structures used for treating sewage.
- (66) *Sewage works.* Sewage works is any and all facilities for collection, pumping, treating, and disposing of sewage.
- (67) *Significant industrial user.* Any industrial user which:
- Discharges twenty-five thousand (25,000) gallons or more of wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) into the sewage system per average workday; or
 - Has a discharge greater than five (5) per cent of the average dry weather flow or organic capacity of the city's wastewater treatment plant; or
 - Is regulated by the National Categorical Pretreatment Standards; or
 - Is found by the manager to discharge pollutants which have a reasonable potential for adversely affecting the sanitary sewer or the waste water treatment plant, or for violating any pretreatment standard or requirement. The manager may at any time on his own initiative, or in response to a petition from an industrial user, determine that an industrial user meeting the above criteria is not

a significant industrial user; if it is found that there is no reasonable potential for adversely affecting the POTW or for violating any pretreatment standard or requirement.

- (68) *Slug*. Any substance release in a discharge of non routine or episodic nature which causes interference at the treatment plant, hydraulically overloads the sewer collection system or violates the prohibitions in 40 CFR 403.5(b). This includes but is not limited to an accidental spill or a noncustomary batch discharge.
- (69) *Standard industrial classification (SIC)*. A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (70) *Standard methods*. Standard methods are as contained in the "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, latest edition. All sampling and testing procedures required under provisions of this article shall be in accordance with "standard methods".
- (71) *Storm drain*. (See subsection (a)(61) of this section).
- (72) *Storm sewer*. Any sewer or natural or man-made drainage channel which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, and other than unpolluted cooling water.
- (73) *Storm water*. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (74) *Substantial change in wastewater discharge*. A twenty (20) per cent or greater increase or decrease in the volume of wastewaters discharged or in the quantity and character of pollutants discharged as a result of changes in the industrial processes which generate the wastewater.
- (75) *Toxic pollutant*. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of the Clean Water Act (CWA) Section 307(a) or other acts.
- (76) *Upset*. An exceptional incident in which there is unintentional and temporary noncompliance with the categorical pretreatment standards because of factors beyond the reasonable control of the industrial user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [40 CFR 403.16(a)].
- (77) *User*. Any person who contributes, causes or permits the contribution of waste water into the city's POTW.
- (78) *Waste water*. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether treated or untreated, which are introduced into or permitted to enter the POTW.
- (79) *Watercourse*. A channel in which a flow of storm, surface or ground water occurs continuously or intermittently.
- (80) *Water of the state*. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.
- (81) *Words and phrases; how construed*. Words and phrases shall be read with their context and shall be construed according to the common and approved usage of the language. Technical words and phrases, and such others as may have acquired a particular and appropriate meaning in the law, shall be construed and understood according to such peculiar and appropriate meaning. The word "may" is permissive; "shall" is mandatory.

(d) *Abbreviations*. The following abbreviations shall have the designated meanings:

A.S.T.M.	American Society for Testing and Materials.
BOD	Biochemical oxygen demand.
CFR	Code of Federal Regulations.
CWA	Clean Water Act.
COD	Chemical oxygen demand.
EPA	Environmental Protection Agency.
ICR	Industrial cost recovery.
l	Liter.
mg	Milligrams.
mg/l	Milligrams per liter.
MGD	Million gallons per day.
NPDES	National Pollutant Discharge Elimination System.
POTW	Publicly owned treatment works.
Q	Flow in gallons per day.

SIC	Standard industrial classification.
SWDA	Solid Waste Disposal Act, 42, U.S.C. 6901, et seq.
TSS	Total suspended solids.
U.S.C.	United States Code.

(Ord. No. 11,163, 3-8-11)

Sec. 30-40.1. - Grease traps.

This section shall apply to all commercial and nonresidential users, that prepare, cook, and/or dispense food, and that connect to the city sanitary sewer, when in the opinion of the pretreatment coordinator (PC), it is necessary to prevent fats, oils, and greases (FOG) in quantities sufficient to cause sanitary sewer line restriction or necessitate increased sewer collection system or POTW maintenance.

- (a) *New establishments* — are required to install a grease removal device (a minimum of one thousand (1,000) gallons) prior to opening/and or initial discharge.
- (b) *Existing establishments.*
 - (1) All establishments are required to install a grease removal device, within at timeline specified by the pretreatment coordinator after notification that such device is required. A grease removal device shall be required if:
 - a. The food service establishment (FSE) does not have a grease device and is discharging to the public owned treatment works (POTW) wastewater containing FOG, in quantities that can cause line restriction, or necessitates increased line maintenance.
 - b. The existing grease removal device in combination with best management practices, does not reduce the amount of FOG discharged that is sufficient to prevent line restriction or line maintenance.
 - c. The FSE changes in the nature or is renovated in such a manner that will increase the chances of FOG in quantities sufficient to cause line restriction or increased line maintenance.
 - (2) FSE (new or existing) that are unable to comply with the said requirements due to site or plumbing constraints which may make compliance impossible shall apply in writing to the PC for an exemption which may be granted by the PC at his sole discretion. The written request shall include the reasoning behind why the FSE cannot comply with this section and the steps the FSE will take to ensure and prevent sanitary sewer line restriction and increased P.O.T.W. maintenance. The PC shall submit a response within ninety (90) days.
- (c) *Multiple family dwelling units* — required to have at least a one thousand-gallon grease trap.
- (d) *Grease removal device requirements.*
 - (1) *Grease traps.* Unless otherwise exempted ([subsection (b)(2)] of this section), all FSE shall install grease traps. Grease traps shall be one thousand-gallon minimum capacity and provide a thirty-minute retention time at a total peak flow and must be maintained and installed in accordance with manufacturer's instructions and all applicable laws. The maximum size shall be twenty-five hundred (2,500) gallons each based on cleaning and maintenance frequency. Grease interceptors shall be located to provide easy access for cleaning and inspection.
 - (2) *Grease interceptors* will not be allowed, unless otherwise exempted; See [subsection [30-40.1\(b\)\(2\)](#)].
 - (3) *Best management practices.* Food service establishments shall use best management practices designed to reduce the amount of wastewater containing fat, oils, and grease discharged into the POTW. These include:
 - a. Implementing a comprehensive employee training program on the problems associated with fats, oils, and grease and their proper disposal;
 - b. Disconnecting or minimizing the use of garbage disposals;
 - c. Installing a ¼th-inch or 3/16th-inch mesh screen over all kitchen sinks mop sinks, and floor sinks;
 - d. Using "dry" clean-up methods, including scraping or soaking up fats, oil and grease from plates and cookware before washing;
 - e. Using pre-wash sinks to clean plates and cookware;
 - f. Recycling fats, oils and grease and beneficial food waste when possible;
 - g. Pouring remaining liquid fats, oils, and grease from pots, pans, and other cookware into containers to be disposed of in the trash once congealed; and
 - h. Posting BMPs in the food preparation and dishwashing areas at all times.
 - (4) *Maintenance.*

- a. Grease removal devices shall be inspected, cleaned, and maintained in proper working order at all times by the user at its expense.
 - b. Grease trap maintenance.
 - 1. Grease traps in active use shall be cleaned at least once every three (3) months or when the total accumulation of surface fats, oil, and grease (including floating solids) and settled solids reaches twenty-five (25) per cent of the grease interceptors overall liquid depth, whichever occurs first.

****Accounting for twenty-five (25) per cent or more of its wetted depth as measured from that static water line to the tank bottom.****
 - 2. In the event that a grease trap is larger than the capacity of a vacuum truck, the interceptor shall be completely evacuated within a twenty-four-hour period. The user's documentation shall accurately reflect each pumping event.
 - c. *Grease interceptor maintenance.* Grease interceptors shall be serviced at least one time per month or when the amount of waste captured reaches twenty-five (25) per cent of the trap's liquid depth whichever occurs first. Removable baffles shall be removed and cleaned during the maintenance process.
 - d. The PC may require that that require that a grease removal device be cleaned more frequently than set forth in chapter 30 of this Code if the cleaning frequency set forth herein is found to be inadequate. The PC may change the required maintenance frequency to reflect changes in actual operating conditions.
 - e. After each cleaning the food service establishment shall inspect the device to verify that:
 - 1. The contents of the device have been fully evacuated and that no liquids, semi-solids, or solids were discharged back into the device after cleaning; and
 - 2. The interior components of the device are in proper working order.
 - f. Food service establishments shall require the liquid waste hauler, transporter, or any other person cleaning or servicing a grease removal device to completely evacuate all contents, including floating materials, wastewater, bottom solids, and accumulated waste on the walls of the grease removal device. Waste must be disposed of in accordance with federal, state, and local laws.
 - 1. Food service establishment shall be required to know at all times via waste haulers manifest the location of the contents of the grease removal device until disposal. (Cradle to grave)
 - 2. The grease trap waste generator shall complete and sign the generator's section of the waste hauler's manifest, as appropriate, prior to removal of waste.

These shall include:

 - I. Business name.
 - II. Business address.
 - III. Telephone number.
 - iv. Waste capacity of interceptor.
 - v. Date of delivery to transporter.
 - vi. Name and signature of manager or owner.

It shall be the responsibility of the generator to ensure that the generator section and the transporter section of the manifest are complete and accurate, with signatures. A copy of the manifest shall be left with the generator. ****** There must be a least two (2) (consecutive) copies of the waste haulers manifest on site.
 - g. *Cleaning frequency variance.* Any food service establishment desiring a cleaning schedule less frequent than that required in this chapter shall submit a request to the pretreatment coordinator along with the maintenance records for the last four (4) grease interceptor cleanings or at last eight (8) grease trap cleanings, including measurements of the thickness of the floating fats, oil, and grease and bottom solids layer, and total volume removed. A reduction in cleaning frequency may be granted by the director when it has been determined that the grease interceptor had adequate detention time for fats, oil, and grease removal. The cleaning frequency will depend on variables such as the capacity of the device, the amount of solids in the wastewater, and the degree of adherence to BMPs.
- (e) *Compliance monitoring.*
- Inspection and sampling:
- (1) The city shall have the right to enter the facilities of any commercial user to ascertain whether the purpose of this chapter, and any permit or order issued hereunder is being met and whether the commercial user is complying with all requirements thereof.
 - a.

Any temporary (car, mulch, shrubbery) or permanent obstruction (cement or concrete) must immediately be removed to allow safe and easy access to the grease removal device via the manhole or lid.

- b. Unreasonable delays (no longer than fifteen (15) minutes) in allowing city personnel access to the commercial user's premises shall be a violation of this chapter if the PC or APC has been refused access to the building, structure, or property or any part thereof, and if the PC or APC has demonstrated probable cause to believe that there may be a violation of this chapter or there is a need to inspect as a part of a routine inspection program of the city designed to verify compliance with this chapter or any permit or order issued hereunder or to protect the overall public health, safety, and welfare of the community a citation will be issued and the facility will be given fifteen (15) minutes to comply and allow access.
- (f) *Permit fees.* One hundred dollars (\$100.00) per year. (To be renewed every three (3) years)
Any permit that lapses for non-payment of the annual permit fee required in this chapter will be reinstated upon payment of an additional fee of [two hundred fifty] dollars (\$250.00) for each thirty-day period in which the permit has been allowed to lapse. After three (3) thirty-day periods, the said facility will have [their] water services disconnected.
- (g) *Grease trap conditions for citation issuance.*
Grease and/or solids at or above twenty-five (25) per cent rule.
**Twenty-five (25) per cent rule is defined as when the grease trap has accumulated waste, both floatable grease and settleable food solids accounting for twenty-five (25) per cent or more of its wetted depth, as measured from the static water line to the tank bottom.
Grease trap overflowing.
Grease trap broken (i.e. baffles, outlets or cover damaged).
- (h) *Penalty assessment.*
- (1) *Permit application and renewal.* All applications for the FOG permit to be reviewed for initial permitting or renewal shall be submitted by December 1 of the application year. (In the event of an establishment opening after the permit application deadline, the applicant will be required to submit the application within thirty (30) days.
—the annual permit fee is one hundred dollars (\$100.00) per year. If the permit application is not received before the deadline, there will be a two hundred fifty dollar (\$250.00) late fee, and two hundred fifty dollars (\$250.00) for each month up to three (3) months in which there will be a disconnection of water services.
- (2) *Grease trap violation.*
- a. Citation (written) issued and facility is given ten (10) business days to have trap cleaned or repaired:
1. If overflowing facility given twenty-four (24) hours from the time of the citation.
 2. If not cleaned after ten (10) days, three (3) additional days may be provided (Letter is sent).
 3. One hundred dollars (\$100.00) [per] day penalty for each day trap is not cleaned following the aforementioned (Letter is to be sent and fee added to the water bill).
 4. Court/legal action including a cease and desist order, and termination of services with a one thousand dollar (\$1,000.00) penalty assessed to the facility (Matter handled by the city attorney).
*** In the case of the restaurant's closing, the property owner is responsible for the final cleaning. ***

(Ord. No. 11,163, 3-8-11)