

RULES and REGULATIONS FOR OIL & GREASE TRAPS / INTERCEPTORS FOR FOOD ESTABLISHMENTS

Appendix C of the Sewer Use Regulations (Accepted 2/28/23)

I) AUTHORITY

The Sewer Commission of the Town of Lunenburg, Worcester County, Massachusetts, acting in accordance with the provisions of Chapter 83, Section 10, of the Massachusetts General Laws as amended, has adopted the following rules and regulations.

II) PURPOSE

The purpose of this regulation is to protect residents, businesses, and the environment within the Town of Lunenburg from blockages of the Town's Sewer System caused by the accumulation of grease in the sewer system. These blockages can cause backups and overflows into residences and other buildings, and the environment, and are a serious health concern.

III) DEFINITIONS

Agent - means any duly authorized agent of the Lunenburg Sewer Commission, as specified in the Sewer Use Regulations, as amended.

Grease - A material, either liquid or solid, composed primarily of fat, oil, and grease (FOG), from animal and vegetable sources. In Food Service, there are two types of waste FOG generated during food preparation and cleaning processes: BROWN GREASE is grease that is recovered from grease traps and interceptors. YELLOW GREASE is inedible oil and grease that comes directly from fryers and other cooking equipment.

Food Service Establishment - is defined as any establishment issued a Permit to Operate a Food Establishment by the Lunenburg Board of Health or any other non-residential establishment that creates grease as a by-product of food preparation. Also covered by this definition is any property, non-residential or residential, that is used to dispose of cleanup waste from a mobile food service establishment. Both the owner of the premises where a grease trap is required and the owner or operator of the establishment or business conducted on the premises, shall be jointly and severally responsible for installing a grease trap acceptable to the Commission, for properly servicing and maintaining the grease trap, and for payments of all fees associated therewith including, but not limited to, non-compliance fees.

Grease Trap - A grease control device that is used to serve individual fixtures (internal unit). The device is located adjacent to or in close proximity to a kitchen fixture, and is designed to collect, contain or remove food wastes and grease from the kitchen waste stream, allowing the liquid portion to discharge to the sewer system.

Grease Interceptor/Tank - A multi-compartmented device (external unit) located underground and outside of a food service establishment designed to collect, contain, and remove food wastes and FOG from the kitchen waste stream, while allowing the liquid portion to discharge to the sewer system. FOG is separated from the kitchen waste stream by gravity as it moves from one compartment to another.

Industrial Pretreatment Program (IPP) - is a federally mandated program required to oversee non-domestic discharges to a publicly owned treatment works (POTW).

Industrial Wastes - shall mean the liquid wastes from industrial manufacturing processes, trades or businesses as distinct from sanitary sewage.

Noncompliance Fine - Fine assessed for failure to comply with the requirements of this Regulation in accordance with Section VI of this regulation.

Permitted Waste Hauler - means any Hauler that is issued a Permit to Haul (waste material) by the Lunenburg Board of Health.

Publicly Owned Treatment Works (POTW) or Sewage Works - A treatment works is defined by Section 212 of the Act, (33U.S.C. 1292). This definition includes any sewers that convey wastewater 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 regulation, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the Town who are, by contract or agreement with the Town, users of the Town's POTW.

Twenty-five Percent Rule - Standard for the determination of grease trap or interceptor maintenance requirements to ensure that minimum design requirements for FOG removal are met, such that the combined FOG and solids accumulation in the tank does not exceed 25% of the operating depth (design hydraulic depth) of the tank. The operating depth is the depth from the outlet pipe to the bottom of the tank. The Sewer Commission may require the use of the manufacturer's recommended cleaning level if it is stricter than this standard.

User - Any person who contributes, causes, or permits the contribution of wastewater into the Town's POTW.

IV) GENERAL PROVISIONS

A) Annual Permit Fees

Annual Permit Fees shall be assessed to each establishment regulated under this regulation. The Sewer Commission will provide an application form to collect the information required for approval. Completed forms and Permit Fees will be due 30 days prior to the annual effective date of August 1st of each year. If an approved Permit is not issued by the Sewer Commission by this date, the establishment will not be allowed to dispose of wastewater from fixtures that require a grease trap/interceptor into the Sewer System. In such a case, the Board of Health will be notified. The Annual Permit fee is:

1. ESTABLISHMENT WITH INTERNAL GREASE TRAPS ONLY: \$150.00

2. ESTABLISHMENTS WITH EXTERNAL GREASE INTERCEPTORS: \$150.00

These annual permit fees are separate and distinct from any monetary penalties assessed in direct response to violations in accordance with Section VII of this regulation.

No renewal application will be accepted or processed for any property with outstanding, unpaid fees or penalties.

B) Documentation required with the Permit application

All establishments for which this regulation applies, new or existing, are required to provide a schematic drawing of the wastewater system for their facility that includes all equipment and drains (including floor drains) that are connected to the Sewer System. In addition, a list of equipment, maximum flow rates and equipment manufacturer's specification must be provided in the initial year of application. These documents must be updated upon any renovations or new installations to be kept on record at the Sewer Commission office. Particular attention should be paid to the specified capacities of any grease traps and/or interceptors consistent with application of the 25% rule.

C) Postings

Per the Massachusetts Uniform State Plumbing Code 248 CMR 10:09, all establishments are required to post Maintenance Log(s), which shall be posted at all times in a visible location near the grease trap. In addition, a laminated sign shall be stenciled on or in the immediate area of the grease trap or interceptor in letters one-inch high. The sign shall state the following in exact language:

IMPORTANT: This grease trap/interceptor shall be inspected and thoroughly cleaned on a regular

and frequent basis. Failure to do so could result in damage to the piping system, and the municipal or private drainage system(s).

D) Grease Trap / Interceptor Installation

Whenever a Food Service Establishment or non-residential entity is preparing food, or any other activity in which grease is a by-product of production, a suitable grease trap/ interceptor conforming to applicable Sewer Use Regulations and Plumbing and Building Codes may need to be installed. In Food Service Establishments required by a state or local agency to install a three-basin sink, the Sewer Commission requires the installation of a grease trap in compliance with the Massachusetts Uniform State Plumbing Code 248CMR 10:08.

The Sewer Commission may, at any time, require the installation, upgrade and/or relocation of an internal grease trap or external grease interceptor, as it may deem necessary to maintain any particular building sewer pipe, any lateral sewer pipe, or sewer main pipe free from obstructions caused by fats, oil or grease emanating from a Food Service Establishment, in accordance with 248 CMR 1.00 - 7.00, and any other applicable Federal, State, or Local Regulation or By-law.

E) Commercial Properties

Property owners of commercial properties or their official designee(s) shall be responsible for the installation, permitting and maintenance of an external grease interceptor serving multiple food establishments that are located on a single parcel or development.

F) Food Service Establishments – New, Remodeled or at Change of Ownership

All new or remodeled Food Service Establishments, or those experiencing a change of ownership, may need to have installed an appropriate type and size grease trap and / or interceptor based on the following guidelines and subject to prior approval by the Sewer Commission and the Plumbing Inspector for the Town of Lunenburg.

- 1) Design of Grease Traps and Interceptors for all Food Service Establishments shall be in accordance with the requirements of the MA Uniform Plumbing Code, 248 CMR 10.09.
- 2) Internal Grease Traps shall be based on Plumbing and Drainage Institute (PDI) sizing and installation data, in accordance with the appendix to the PDI Standard PDI-G101 and shall utilize only those units approved by PDI. These units shall also include a sample port on the effluent Tee.
- 3) All new and remodeled Institutions, or those experiencing a change of ownership, including but not limited to schools, colleges, churches, hospitals and nursing homes, and housing complexes with kitchen facilities, may need to have installed an appropriately sized external in-ground grease interceptor.
- 4) All new and remodeled Food Service Establishments, or those experiencing a change of ownership, may need to have installed an appropriately sized external in-ground grease interceptor. Existing facilities will be required to be retrofitted with an exterior grease trap if grease discharge fouls sewer lines and the owner of the facility is unable to attain compliance with discharge requirements of these rules and regulations.

G) Restrictions and Prohibitions

In addition to the prohibitions detailed elsewhere in the Sewer Use Regulations, the following restrictions apply:

- Sink water temperatures will not exceed 140 degrees Fahrenheit.
- Dishwashers shall be discharged through an internal grease trap or external grease interceptor per the requirements of 248 CMR 10.09, regardless of water temperature.
- Food Waste Grinders are not allowed to be connected to an internal grease trap or external grease interceptor per 248 CMR 10.09.

- The use of emulsifying agents such as solvents, acids and caustics, and other toxic and/or hazardous chemicals, and petroleum products known to have uses as a de-clogger or degreaser is prohibited.
- The use of bacterial or enzymatic treatments to improve discharge flow is prohibited, except in certain cases prior approval may be obtained from the Sewer Commission. Any such usage shall not be a substitution for adequate maintenance.

H) Exemptions

The following Food Service establishments are exempt and will not be regulated under these Rules and Regulations:

- 1) Any establishment that is not connected to the Town's POTW.
- 2) Any establishment not required to have a grease trap under the Massachusetts Plumbing Code.
- 3) Establishments that do not prepare food, do not use fats, oil, and grease, and which do not provide seating or other facilities for the consumption of food on the premises.
- 4) Non-cooking Establishments that do not use fats, oil, and grease, and:
 - which only prepare beverage items like coffee, tea, soda or
 - are primarily engaged in the preparation of precooked food items that do not require any form of cooking, such as frozen food preparation/serving establishments.

I) Internal Grease Trap Maintenance

The owner and/or operator of an establishment subject to these regulations shall open and inspect all Grease Traps on a weekly basis, at minimum. At the time of each inspection, a measurement of the grease plus sludge must be taken and recorded. The unit shall be completely cleaned out when the grease/sludge approaches 25% of capacity or as needed. Inlet/outlet pipes and baffles shall be inspected and maintained free of all caked on FOG and residual waste. The units shall be cleaned out a minimum of once per month, or an establishment may request permission to utilize the 25% Rule or manufacturer's recommended cleaning level to determine site specific cleanout frequency. Any inspections, including the amount of grease and sludge measured (%), maintenance, repairs, etc. shall be documented on the Maintenance Log(s), posted in a visible location near the grease trap. In addition, the owner and/or operator shall submit written documentation of such inspections, maintenance, repairs, etc. to the Sewer Commission no later than the first Tuesday of each month, unless the Sewer Commission approves a longer period. If all of the equipment/drains of the establishment are connected to an external interceptor, submission of monthly reports is not required. It is specifically prohibited to maintain a grease trap / interceptor by bacteriological, enzymatic, or chemical addition or treatment.

J) External Grease Interceptor Maintenance

All required inspections will be managed and paid for by the Sewer Commission as long as the establishment has paid the appropriate Permit Fee. It is the responsibility of the Food Service Establishment to, at a minimum, clean out the interceptor once every 6 months. Additional cleanouts may be required by the Sewer Commission based on inspections and the 25 % Rule or manufacturer's recommended cleaning level. The unit shall be maintained in an efficient operating condition at all times. Cleanouts shall be performed by a licensed hauler and shall include the complete removal of all the contents and cleaning of the unit. Top skimming of outdoor grease traps, decanting, and back flushing of the grease interceptor to reduce the volume to be hauled is prohibited. The Hauler shall provide written documentation to the establishment on the services provided, date, amount (%) of grease and sludge prior to cleaning, quantity of material removed, and disposal facility. The owner or operator shall maintain this documentation on site and have available for inspections. Any inspections, monthly depth measurements to comply with the 25% Rule, maintenance, repairs, etc. shall be documented on the Maintenance Log, which shall be maintained and posted on site at all

times in an accessible location. In addition, the owner and/or operator shall submit a completed Interceptor Service Report to the Sewer Commission within 30 days of such action.

K) Waiver for Grease Traps & Interceptors

An establishment which generates very little or no Fats, Oil and Grease, may request a waiver of the requirements of these rules and regulations. The request must be clear and specific, and include the quantity generated, how it is generated, method of disposal, and any other pertinent information supporting the request. All such requests will be reviewed, and a determination made within 30 days of receiving the request. All establishments which receive a waiver will be required to inspect the grease trap(s) or interceptor(s) every 6 months and clean out the grease trap(s) or interceptor(s) at least once per year unless the Sewer Commission requires a more frequent schedule. Written and signed documentation of maintenance activities will be maintained on-site and available for inspection.

In addition, a Food Service Establishment may apply for a waiver from this regulation if the establishment can demonstrate that it is impossible or impracticable to operate or maintain an interceptor at that location. Any request must include alternative pretreatment for managing FOG from the establishment. Consideration will be given but not limited to the following scenarios: inadequate space for the installation or maintenance of a unit, inadequate slope for gravity flow between fixtures and unit or unit and public sewer. Every waiver request shall be made in writing, and it shall reference the specific provision of the rules and regulations for which the waiver is sought. The applicant shall provide technical documentation that demonstrates that an equal amount of environmental protection can be attained without full compliance with these rules and regulations. A copy of said request shall be sent to the Lunenburg Board of Health by the establishment.

Any waiver allowed by the Sewer Commission shall be issued in writing and a copy sent to the Lunenburg Board of Health. A waiver may contain additional requirements specific to the location including but not limited to alternative equipment, sampling and analytical requirements, reimbursement of costs associated with sewer monitoring and maintenance, and implementation of additional Best Management Practices. Any denial of a waiver request shall also be issued in writing and shall contain a statement of the reasons for a denial. Written notification to the applicant shall be completed by the office of the Sewer Commission within 30 days of receipt of a complete application. All documents relating to the request, approval or denial of a variance shall be kept on file in the office of the Sewer Commission and shall be available to the public during the regular hours of operation.

L) Waste Fats, Oil & Grease Storage and Removal

Waste grease and oil shall not be disposed of in the sanitary sewer. Waste fats, oil and grease of substantial quantity (over 5 lbs.) for re-use or disposal off-site must be collected in an appropriate container provided by an approved vendor and stored in an approved location on the premises. The container must be stored on an impervious surface such as concrete or pavement. Containers must be capable of being sealed to prevent entry of precipitation or stored in a sheltered area. During storage, all grease containers and surrounding areas shall be maintained in a clean and sanitary condition at all times. For containers and a grease interceptor, the waste material shall be removed by a professional hauler, licensed by the Lunenburg Board of Health, and shall include the complete removal of all contents.

V) RECORDKEEPING, ENFORCEMENT AND INSPECTION

The Sewer Commission shall enforce the provisions of this regulation. Authorized agents of the Lunenburg Sewer Commission (Agent) bearing proper credentials may enter any premises at any reasonable time to inspect for compliance with this regulation. Such authority shall not impinge on any authority vested in the Lunenburg Board of Health. The owner and/or operator shall allow said Agent ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- a. Where an owner/operation has security measures in force, which require proper identification and clearance before entry into its premises, the owner/operator shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Agent will be permitted to enter without delay for the purposes of performing specific responsibility.
- b. The Agent shall have the right to set up on the owner /operator's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- c. The Agent may require the owner/operator to install monitoring equipment complying with Plumbing and Drainage Institute's Testing and Certification requirement for Grease Interceptors with FOG Sensing and Alarm Devices (PDI G102). The monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner/operator at its own expense.
- d. Any temporary or permanent obstruction to safe and easy access to the establishment to be inspected and/or sampled shall be promptly removed by the owner/operator upon the written or verbal request of the Agent and shall not be replaced. The costs of clearing such access shall be borne by the owner/operator.
- e. Unreasonable delays in allowing the Agent access to the establishment shall be a violation of this regulation.

All records pertaining to purchasing, storage and removal of grease related products shall be retained by the owner or operator on the premises for a period of three years. This shall include the Small Commercial Discharge Authorizations and Inspection / Maintenance Forms, hauler receipts, manifests/bills of Lading, and a complete inventory of all food and maintenance related products that are purchased by the establishment. In accordance with any requirements specified in the Small Commercial Discharge Authorization, or upon request by an agent of the Sewer Commission, an owner or operator shall furnish all information required to enforce and monitor compliance with this regulation. In addition, the owner and/or operator shall submit written documentation of such removal of grease to the Sewer Commission and the Lunenburg Board of Health within 30 days of such action. The Sewer Commission will provide a recommended form for required documentation.

VI) GREASE TRAP REVIEW POLICY

When reviewing an application for, or when conducting inspections in relation to permits for Food Service Establishments which are within its legal jurisdiction to review and inspect, the Sewer Commission may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project, because of a project's potential impacts, or because the Town lacks the necessary expertise to perform the work related for the said permit. The Sewer Commission may require that applicants pay the cost of a project review fee, consisting of the reasonable costs incurred for employment of outside consultants engaged by the Sewer Commission to assist in the review of a proposed project.

In hiring outside consultants, the Sewer Commission may engage engineers or other appropriate professionals who can assist the Sewer Commission in analyzing a project to ensure compliance with all relevant laws, ordinances, and other regulations such as they relate to the project at hand. Such assistance may include, but not be limited to, analyzing an application, monitoring, or inspecting a project or site for compliance with the Commission's regulations, or inspecting a project during construction or implementation.

VII) VIOLATIONS & PENALTIES

Written or electronic notice of any violation of this regulation shall be given to the owner and/or operator by an Agent of the Sewer Commission, specifying the nature, time and date of the violation, any preventative measures required to avoid future violations, and a correction time frame.

Failure to comply with the reporting requirements specified in this regulation may result in an automatic Noncompliance Fine of \$100.00.

Continued noncompliance with any requirement of this regulation, or failure to correct an existing violation may result in a Noncompliance Fine of \$25.00 per day of violation retroactive to the start of the noncompliance until compliance is achieved.

The Sewer Commission may, after providing opportunity for a hearing, suspend the permit issued under this regulation, and will notify the Lunenburg Board of Health accordingly. During this time, the permittee may not discharge any fats, oil and grease (FOG) - bearing wastewater to the municipal sewer system. Continued operation without a valid discharge authorization or permit may result in the termination of sewer service.

This process can be initiated for:

- 1) Lack of or suspension of Annual Permit
- 2) Serious or repeated violations of this regulation.
- 3) Interference with the authorized agents of the Sewer Commission in the performance of their duty.
- 4) For keeping or submitting any misleading or false records or documents required by this regulation.
- 5) Recurring Noncompliance with the terms and provisions of the Small Commercial Discharge Authorization.

In accordance with the Sewer Use Regulations as amended, any person that violates these regulations shall be liable for any expense incurred by the Town as a result of such violation, including but not limited to, any or all of the following costs: legal costs or fees; administrative fees; loss; disposal, cleanup or maintenance fees; penalties; or damages.

VIII) HEARING

The person or persons, to whom any order or notice pursuant to this regulation has been issued, may request a hearing before the Sewer Commission. Such request shall be in writing and shall be filed in the office of the Sewer Commission within ten days after receipt of the order or notice.

IX) SEVERABILITY

Each provision of this Regulation shall be construed as separate to the end that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.

The invalidity of any section, clause, sentence or provision of these Rules and Regulations shall not affect the validity of any other part of these Rules and Regulations which can be given effect without such invalid part or parts.