

AMENDMENT TO CHAPTER 802
of the City of Roseville City Code

802.15: DISCHARGE OF FATS, OILS AND GREASE:

- A. Definitions: The following words, terms and phrases, when used in this section, shall have the meaning:
1. Best Management Practice or BMP: Fats, Oils and Grease or FOG BMP's are the most effective and practicable means of controlling, preventing and minimizing the discharge of FOG into the City's sanitary sewer system including the installation of devices, device maintenance, training or any other practice that reduces FOG.
 2. Food Service Establishments or FSE means any facility containing an operation that prepares, packages, serves, vends or otherwise provides food or which disposes of food related wastes. Food service facility does not include single or multifamily residential facilities, but does include institutional facilities and other facilities designated by the City Manager or their designee, as a facility that discharges enough FOG to have significant impact on the City's sanitary sewer system.
 3. Fats, Oils and Grease or FOG: means material composed primarily of fats, oils and grease from animal or vegetable sources.
 4. **Food manufacturer/processor or FM/P** means those establishments using methods and techniques to transform raw ingredients into food for human consumption.
 5. **Grease interceptor** means grease retention units of the outdoor or underground type with a 1,000- to 3,000-gallon capacity. FSE requiring a larger than 3,000-gallon capacity interceptor shall plumb and install additional separate units.
 6. **Grease trap** means a device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer system.
- B. **FOG program participation required.**
1. This section applies to all FSE and FM/P discharging wastewater containing fats, oils and grease to the City's sanitary sewer system including, but not limited to, restaurants, grocery stores, meat markets, hotels, correctional facilities, factory and office building cafeterias, public and private schools, hospitals, multiple tenant housing, commercial day care centers, places of worship, and catering services.
 2. As of the effective date of this ordinance and thereafter, no FSE or FM/P shall discharge any substance of any kind into any portion of the City's sanitary sewer system except in accordance with a best management practice (BMP) program which has been approved by the City's Public Works Director in writing.
 3. The city shall, from time to time, establish by resolution the minimum standards for the content of a BMP program.
 4. No FSE or FM/P shall discharge any substance of any kind into any portion of the sanitary sewer system which is not in conformance with the BMP program for that FSE or FM/P.
- C. **FOG prohibitions.** No FSE or FM/P shall;
1. Install food grinders in a plumbing or sewage system in any new construction or renovation of a structure designed to house a FSE or FM/P;
 2. Discharge any wastewater containing FOG into the sanitary sewer system except in compliance with the BMP program for that facility;

3. Introduce any additives into the sanitary sewer system for the purpose of emulsifying FOG or biologically or chemically treating any substance introduced into any sanitary sewer system for the purpose of treatment or pretreatment of wastewater, unless with a specific written authorization by the Public Works Director;
4. Discharge wastewater at temperatures in excess of 160 degrees Fahrenheit to any grease interceptor or grease trap;
5. Operate grease interceptors if the unit has accumulated waste, both FOG and food solids, accounting for 25 percent or more of its wetted depth measured from the static water level to the interior tank bottom, with FOG and solids accumulation, exceeding 25 percent of the total operating depth of the grease interceptor; or
6. Discharge any FOG or any other solid materials removed from the grease control device to the sanitary sewer system.

D. FOG interceptors installation requirements.

1. Except as provided for in subsection 802.15.M, any structure designed for or intended to be used for an FSE or FM/P must have a grease interceptor installed prior to discharging any wastewater into a sanitary sewer system. Such grease interceptor must comply with all conditions as set forth in the State of Minnesota Administrative Rule 4715 and the Ramsey County Public Health Department;
 2. Property owners of any new commercial construction structure designed to house multiple tenants on a single parcel shall be responsible to install and maintain a single grease interceptor to serve each individual tenant. If a property owner demonstrates to the Public Works Director that it is not practically possible to install and maintain a single grease interceptor to serve each individual unit located in the structure, in which case the Public Works Director has the discretion to approve a plan for such structure providing for more than one grease interceptor or a combination of grease interceptors and grease traps to service such property, which approval shall be in writing. Said approved plan shall include the minimum number of grease interceptors and grease traps that can reasonably serve the structure and the BMP program shall specifically include service for all approved grease intercepts and grease traps;
 3. The owner of any structure occupied by more than one FSE or FM/P shall be jointly and severally liable with the owner of each FSE or FM/P served by any grease interceptor or any grease trap for the servicing and maintenance of that grease interceptor or grease trap and for any servicing and maintenance of any sanitary sewer system located downstream from said structure to remove any accumulations of FOG therefrom;
 4. The Public Works Director may require existing FSE or FM/Ps and owners of structures in which such FSE or FM/Ps are located which have been identified as introducing FOG in any portion of the sanitary sewer system, and which introduction of FOG, in whole or in combination with other FOG contributors, has been responsible for causing the need for the city to clean such portion of the sanitary sewer system more than twice in a single calendar year to install grease interceptors or other FOG equipment as deemed necessary to comply with this section. Such installation shall be completed and operational within 180 days of notice by the Public Works Director.
- E. Grease interceptors. Maintenance and cleaning of grease interceptors. In the maintaining and routine cleaning of grease interceptors and any other grease control device, the owner of the FSE or FM/P and the owner of the structure in which it is located, if different from the owner of the FSE or FM/P shall be responsible for the proper removal and disposal by appropriate means of the captured material. If not performed by personnel under the direct control and direction of any such owner, such removal and haul shall be performed by currently licensed waste disposal haulers.

1. Maintenance of grease interceptors shall be performed as frequently as necessary to protect the sanitary sewer system against the accumulation of FOG. Maintenance shall be performed as determined by inspection and application of the 25-percent rule, or at intervals specified in the permit, whichever is more frequent. Maintenance shall be performed at least every 90 days.
 - a. The 25-percent rule requires that the depth of oil and grease (floating and settled) in a trap shall be less than 25 percent of the total operating depth of the trap. The operating depth of a trap is determined by measuring the internal depth from the outlet water elevation to the bottom of the trap.
- F. Grease traps. Maintenance of grease traps shall be performed as frequently as necessary to protect the sanitary sewer system against the accumulation of FOG. Maintenance shall be performed as required by inspection and/or sampling or at intervals specified in the permit, whichever is more frequent. Maintenance shall be performed at minimum every 14 days.
- G. Maintenance modifications. Food service facilities which operate infrequently or only for special events may request a modification to the maintenance schedule specified above. The Public Works Director may authorize a maintenance frequency related to the operation of the food service facility. The property owner shall submit a request for a modified maintenance schedule which includes all details of operation for the director to review.
- H. Disposal. The property owner shall be responsible for the proper removal and disposal of the grease interceptor or trap waste. All waste removed from each grease interceptor or trap must be disposed of properly at an appropriate facility designed to receive grease interceptor or trap waste. No grease interceptor or trap waste shall be discharged into any City sanitary or storm sewer system.
- I. Maintenance log. The property owner shall be responsible for retaining records of the maintenance of grease interceptors and traps including manifests, permits, permit applications, correspondence, sampling data and any other documentation that may be requested by the City. This log shall include the dates of service, volume of waste removed, waste hauler, and disposal site of waste. These records shall be kept on-site at the location of the grease interceptor or trap for a period of three years and are subject to review by the City upon request without prior notification.
- J. Inspection. The City will perform periodic inspections of these facilities and shall notify the property owner of any additional required maintenance or repairs. Upon written notification by the City, the property owner shall be required to perform the maintenance and records of said maintenance within 14 calendar days. Upon inspection by the City the property owner may be required to install, at their expense, additional controls to provide a complete system which prevents discharges of FOG into the sanitary sewer system.
- K. Exception from grease interceptor requirements. If the owner of any FSE or FM/P or of any structure in which an FSE or FM/P is located or is to be located demonstrates to the reasonable satisfaction of the Public Works Director that installation of a grease interceptor is not feasible, the Public Works Director may grant an exception allowing such owner to install grease traps or other alternative treatment technology which will in their discretion adequately control the release of FOG from the FSE or FM/P or the structure into the sanitary sewer system. The FSE or FM/P bears the burden of demonstrating that the installation of a grease interceptor is not feasible to the satisfaction of the Public Works Director.
- L. Charge for remedial maintenance or repair of the City sanitary sewer system.
 1. In the event that the owner of an FSE or FM/P or the owner of any structure in which an FSE or FM/P is located is found to have contributed to the partial or complete obstruction of a sanitary sewer system resulting from the discharge of wastewater or waste containing FOG

and that the City is required to act immediately to control a public health hazard because of such blockage, such owner shall be required to reimburse the City for all costs of abating such condition. In situations where there are multiple owners identified as contributing to FOG causing such obstruction, the Public Works Director will apportion the cost of the cleanup, maintenance or repair costs on a prorated basis, based on each owner's percentage share of the average total sanitary sewer charges for all such owners. Further, should inspection, testing or other sampling activity by the City confirm that any property owner is contributing FOG (including other harmful ingredients) and is causing the repair or excessive maintenance activity to maintain the sanitary sewer system, the Public Works Director may require retrofitting of the structure with grease interceptors or grease traps, including testing facilities and access thereto sufficient to resolve the problem;

2. The costs for curing any private sewer lateral failures and sewer system overflows, including cleaning and other maintenance, caused in whole or in part by FOG introduced into the sanitary sewer system by any FSE or FM/P, alone or in conjunction with any other party, are the responsibility of the owner of the FSE or FM/P and the owner of any structure in which the FSE or FM/P contributing the FOG to the sanitary sewer system is located.

M. Compliance. Compliance with the grease control program shall be evaluated based on the following criteria:

1. All FSE and SM/P who are implementing and documenting BMPs and performing and documenting grease retention unit cleaning at the required frequency will be considered to be in full compliance with this policy.

2. When an obstruction and/or sanitary sewer overflow occur due to the presence of FOG, the records of all FSE or FM/P that discharge to the affected sanitary sewer line may be reviewed in order to determine the responsible party. Any FSE or FM/P found to be in noncompliance with the required grease retention unit cleaning frequency shall be deemed a "responsible party" for cost recovery. Payment of cost recovery does not preclude further enforcement actions for noncompliance as per the FOG enforcement response plan.

N. Penalties and assessments for FOG program noncompliance. In the event that the owner of an FSE or FM/P or the owner of any structure in which an FSE or FM/P is located is found to have failed to comply with the provisions of this division, the following penalties or assessments or both may be applied:

1. For introduction of FOG into any sanitary sewer system resulting in obstruction to said system or in a sanitary sewer overflow:

a. The city may disconnect water and sewer service to the FSE or FM/P and to the structure in which the FSE or FM/P is located;

b. City may impose a fine per the City's Fee Schedule until such owner demonstrates that the subject FSE or FM/P or structure is in compliance with the requirements of this section;

2. For failure to maintain records as required by the BMP program for any FSE or FM/P, or failing or refusing to timely comply with any request for records required to be provided to the Public Works Director, a fine per the City's Fee Schedule until such records are provided;

3. For failure to pass the FOG inspection due to lack of or ineffective FOG equipment the Public Works Director may:

a. Require the subject FSE or FM/P to install additional FOG equipment as necessary to resolve the problem;

b. Change the sewer rate class of the FSE or FM/P to reflect the presence of the excessive FOG contribution by the FSE or FM/P