

DIVISION 7. WASTEWATER CONTAINING FATS, OILS, AND GREASE

Sec. 118-241. Definitions.

Facility means a non-household establishment that prepares, cooks or handles food.

Fats, oils, and grease (FOG) means a group of substances with similar physical characteristics that are determined quantitatively on the basis of their common solubility in an organic solvent, usually originating from animals or vegetables.

General manager means the general manager of the city's sanitary board or his duly appointed deputy, agent or representative.

Grease trap or *grease interceptor* means a device for separating fats, oils, and grease from the wastewater prior to entering the POTW.

Operator means the person who owns/[operates] the facility.

Owner means the person who own[s] the facility.

Person means the individual, association, partnership, corporation, municipality, board, state, federal agency or agent or employee thereof.

Pre-wash sink means a sink generally located prior to the dishwasher. The sink is usually equipped with a sprayer to remove food particles from dishes, prior to entering the dishwasher. (Bill No. 6876, § 25-54, 2-19-2002)

Sec. 118-242. Prohibitions.

(a) No person shall discharge any wastewater into the grease trap during the cleaning process, including, but not limited to, decanting water from the truck of a third-party contracted to clean the grease trap. Tap water may be used to aide in cleaning of the grease trap.

(b) In any facility that is required to install a grease trap, the owner and/or operator of the facility shall properly operate and maintain the grease trap, so that the wastewater discharged from the facility does not contain FOG at or above prohibited levels at any time.

(c) In any facility that is required to install a grease trap, the owner/operator of the facility shall not:

(1) Discharge any quantities of FOG into the POTW, except FOG associated with the normal cleaning of cooking utensils and/or containers in which food is cooked, prepared, or stored;

(2) Connect dishwashers, disposals, floor drains, or mop skins to the grease trap;

(3) Allow the grease trap to accumulate a thickness of grease greater than 25% of the total liquid depth;

(4) Introduce any additives, bacteria or enzymes for the purpose of emulsifying the grease;

(5) Alter the grease trap in any manner that reduces the efficiency of the grease trap;

(6) Connect plumbing fixtures that do not carry FOG into the grease trap;

(7) Install the grease trap in such a manner as to make inspection and maintenance of the grease trap difficult.

(d) Any facility that has a pre-wash sink shall connect the pre-wash sink to a grease trap. If it is not possible to connect the pre-wash sink to an existing grease trap, then a separate trap shall be installed for the pre-wash sink. Pre-wash sinks shall have a screening device to remove solids from the wastewater. A garbage disposal is prohibited in the pre-wash sink connected to a grease trap.

(Bill No. 6876, § 25-55, 2-19-2002)

Sec. 118-243. Grease trap size.

(a) The size of the grease trap shall be determine[d] from the following formula for facilities that serve meals:

$$GT = M \times G$$

GT = grease trap size in gallons.

M = meals served during the mealtime period in which the greatest number of patrons are served.

G = gallon multiplier. If one mealtime is served per day, the multiplier is 205; if two mealtimes are served per day, the multiplier is three; if three mealtimes are served per day, or the facility is open to the public for meals more than 12 hours in a 24-hour period, the multiplier is five.

(b) Facilities that do not serve meals shall install a grease trap with a volume at least 300 percent greater than the monthly total volume of FOG produced by the facility.

(c) In the event that the size of the grease trap cannot be determined from subsection (a) [or] (b) [o]f this section, the facility shall establish the size of the grease trap based on the best evidence available. Upon approval of the size of the grease trap by the sanitary board, the existing facility shall obtain a grease trap permit then install a grease trap of the approved size. In no case shall the grease trap have a flow rate less than 30 gallons per minute, or have capacity less than 60-pound of grease.

(d) The sanitary board may exempt a facilities from the requirements of this article if the owner/operator of the facility demonstrates to the satisfaction of the sanitary board that its wastewater will not contain FOG in excess of 200 milligrams per liter. A written request for an exemption shall be made to the sanitary board. A detailed description of the activity performed by the facility, a copy of the menus, and a list of kitchen equipment (number of sinks, dishwasher, fryer, etc.) shall be attached to the written exemption request. The owner and/or operator of the facility is required to notify the sanitary board in writing of changes to the business operation or menus after receiving an exemption. The sanitary board reserves the right to require installation of a grease trap at any time.

(e) The sanitary board may modify the requirements for the size of the grease trap, as calculated is subsection (a), (b), or (c) of this section, for good cause, including, but not limited to, restrictions in the space for installation of a grease trap.

(Bill No. 6876, § 25-57, 2-19-2002)

Sec. 118-244. New construction.

(a) Facilities constructed subsequent to the passage of this article, and required by this article to install a grease trap, shall locate the grease trap within 30 feet the fixtures served by the grease trap in an easily accessible location and, when possible, outside the facility to be served. If the grease trap is too large to allow the installation of a one-piece, easily removable lid, two lids shall be installed. Lids shall be positioned over the influent and effluent structures to allow for measurement, servicing, and removal of the FOG. No lid shall exceed 75 pounds in weight. Sample ports shall be installed on the grease trap effluent line.

(b) Prior to construction, the contractor and/or operator of the new facility shall submit the following to the sanitary board:

- (1) Plans and specifications for the proposed grease trap;
- (2) Site plans showing grease trap location and fixture(s) to be served;
- (3) Seating capacity of the facility; and
- (4) Calculation of the required size of the grease trap. Restaurants, cafeterias, or any other facility that prepares food for resale, patients, or club members shall calculate the required size

as set forth section 118-243(a). All other facilities shall calculate the required size as set forth in section 118-243(b).

The grease trap may be installation and/or construction upon receipt of the written approval of the plans and specifications by the sanitary board. The grease trap may be used after inspection by the sanitary board and upon receiving a grease trap permit from the sanitary board.

(Bill No. 6876, § 25-58, 2-19-2002)

Sec. 118-245. Grease trap permits.

(a) No facility shall operate a grease trap without a grease trap permit. In order to obtain a grease trap permit, the owner and/or operator of the facility that is require[d] to have a grease trap permit by this article shall submit a completed permit application, including plans and specifications, site plan, seating capacity of the facility, and the calculation of the required size of the grease trap the sanitary board at least 60 days prior or[to] the date the facility begins operation. The sanitary board shall approve or reject the application in writing within ten days of its submission.

(1) In the event that the application is approved, the owner and/or operator shall install the grease trap, or modify an existing grease trap, in accordance with the plans and specifications and shall notify the sanitary board when said installation/modification i[s] completed. The notification shall occur at least ten (10) days prior to the date the facility begins operations. A grease trap permit shall not be issued until the sanitary board has inspected the grease trap.

(b) Grease trap permits shall be issued for a specified time period not to exceed three years. A grease trap permit may be issued for a period less than three years at the discretion of the general manager.

(c) Grease trap permits may be re-assigned or transferred to a new owner and/or operator only with prior written approval of the general manager.

(d) Grease trap permits may be terminated for the following reasons:

(1) Failure to properly install, operate, or maintain the grease trap;

(2) Refusing to allow timely access by sanitary board personnel to the facility, the facility grease trap, or the facility grease trap records;

(3) Failure to pay the grease trap fee;

(4) Failure to pay sewer use fees;

(5) Failure to meet effluent limitations; and

(6) Failure to maintain accurate grease trap records.

(e) The owner and/or operator shall apply for grease trap permit reissuance by submitting a completed permit application a minimum of 60 days prior to expiration of the existing grease trap permit. An expired grease trap permit will continue to be effective and enforceable until the grease trap permit is reissued, if the application has been submitted in a timely manner and the failure to reissue the grease trap permit prior to the expiration of the previous grease trap permit is not due to any act, or failure to act, on the owner and/or operator.

(f) Existing facilities that are required to obtain a grease trap permit by this article shall submit a completed grease trap permit application within 60 days of the date of the passage of this article. The sanitary board shall review each application and, if necessary, inspect, each facility, to determine whether it is in compliance with the provisions in this article. If the facility is in compliance, the sanitary board the owner and/or operator a grease trap permit. In the event that the facility is not in compliance, the sanitary board will issue a notice of violation, pursuant to section 118-247 of this article.

(Bill No. 6876, § 25-59, 2-19-2002)

Sec. 118-246. Disposal of fats, oils, and grease.

(a) Facilities that clean their grease traps and dispose of the grease themselves must maintain, and have available for inspection by the sanitary board, a log for the previous three years which contains the following information:

- (1) The date and time the grease trap was cleaned;
- (2) The volume, in gallons, of FOG removed;
- (3) The method of disposal.

Log sheets shall be supplied by the sanitary board.

(b) Facilities that employ third-parties to clean their grease traps must maintain, and have available for inspection by the sanitary board, receipts for the previous three years from said third-parties reflecting the date and time of the FOG removal, the volume of FOG removed, the amount paid for services, and receipts from the facility where the third-party disposed of the FOG. A representative of the facility must be present when a third-party cleans a grease trap.

(c) Failure to keep said log or receipts shall be sufficient grounds for the termination of the facilities grease trap permit.

(Bill No. 6876, § 25-60, 2-19-2002)

Sec. 118-247. Inspection.

The sanitary board shall have the right to enter an[y] facility covered by this article during normal operating hours without prior notice to inspect and test the grease trap and related fixtures and plumbing, and inspect the facilities log or third party receipts. Any violations found during inspection shall be noted on an inspection form and a subsequent notice of violation will be sent to the owner and/or operator of the facility by First Class mail, which will give said owner and/or operator 14 days to correct the violation. Extensions of the 14-day period, requested in writing by the owner or operator, may be granted for good cause shown. Failure to correct the violation may result in the termination of the facilities grease trap permit. Nothing in this article, however, shall limit the sanitary board's right to pursue the remedies set forth in section 118-180 enforcement procedures, in addition to the remedies set forth herein.

(Bill No. 6876, § 25-61, 2-19-2002)

Sec. 118-248. Enforcement.

(a) When sanitary board finds that the provisions of this article have been violated and issues a notice of violation, as set forth in section 118-247, the owner or operator may file a written objection to the notice of violation with the sanitary board within ten days of the date of said notice. Said written objection must specify the reasons for said objection.

(b) Upon receipt of the written objection from the owner and/or operator to the notice of violation, the sanitary board shall determine whether said objection raises an issue of disputed fact that is material to the alleged violation. If the sanitary board determines that a material issue of disputed fact has been raised, the sanitary board shall schedule the matter for hearing, to be conducted under the procedures set forth in section 118-180.

(c) After review of the evidence, if the sanitary board concludes that this article has been violated, it may issue an order revoking the facility grease trap permit has been violated establishing commence that the owner and/or operator must meet in order to receive a new

grease trap permit. The sanitary board also may terminate sewer service to the facility, or such other remedy as justice requires.

(d) If any person violates a provision of this article, any order of the sanitary board issued under section 118-247, or any term or condition of a grease trap permit issued under this article, the sanitary board may commence an action for appropriate legal and/or equitable relief in the Circuit Court of Kanawha County, including, but not limited to, enjoining further commercial activity at the facility until the facility has complied with the requirements of this article. The sanitary board may also recover reasonable attorney's fees, court costs, court reporter fees and other expenses of litigation in said action.

(Bill No. 6876, § 25-62, 2-19-2002)