



*Revised April 1, 2009
Approved July 11, 2011*

City of Belmont Fats, Oil and Grease (FOG) Program

The City of Belmont, in order to comply with all applicable State and Federal laws, has developed a "Fats, Oils and Grease (FOG) Program" designed to provide uniform requirements for commercial and/or industrial establishments that discharge FOG within our collection system. This program requires all FOG producing establishments discharging wastewater into the City's sanitary sewer system to install and maintain a grease trap or grease interceptor. All grease traps and grease interceptors shall be maintained for continuous, satisfactory and effective operation by the owner, leaseholder or operator at his expense.

This program will enable the City of Belmont to:

- 1) Monitor and control FOG discharges.
- 2) Implement and enforce discharge rules outlined within the policy.
- 3) Prevent accumulations of FOG into the sanitary sewer collection system.
- 4) Decrease the number of blockages and sanitary sewer overflow's caused by FOG accumulations.
- 5) Provide an educational program for both residential and commercial users.
- 6) Maintain State and Federal compliance; specifically regarding The City of Belmont wastewater collection system permit #WQCS00046.

Goal:

The overall goal of this program is to prevent the excessive introduction of FOG into the sanitary sewer system and to prevent it from reaching our wastewater treatment plant. Excessive buildup of FOG at critical areas of the sanitary sewer lines, increase the potential to create sewer blockages. A sanitary sewer blockage can result in a sanitary sewer overflow, which could reach the surface waters of North Carolina. The City of Belmont is required to track and report the cause and environmental impact of a Sanitary Sewer overflow to the North Carolina Department of Environment and Natural Resources. Blockages may also cause wastewater to back up into homes, businesses or streets and can result in extensive property or environmental damage. This policy is in no way intended to discourage development, but rather to protect the facilities and the City's infrastructure as it relates to the sanitary sewer system. *Our goal is to limit sewer blockages and prevent any sanitary sewer overflows.*

Authority:

G- 82.005 Service Requirements

1. The POTW Director may require the installation of appurtenance of the owner's property for the purpose of preventing the entrance of grease, oil, sand or other materials into the POTW.
2. Grease, oil and sand interceptors shall be provided for all facilities except for private living quarters or dwelling units
3. All interceptors shall be of a type and capacity to adequately prevent the discharge of grease, oil or sand, and are subject to the review and approval of the POTW Director.
4. Interceptors shall be maintained in continuously efficient operation at all times by the owner.
5. These facilities shall be provided and maintained at no expense to the city. (Ord. 93-08, passed 6-7-93) Penalty, see 52.99

52.99 Penalty.

(A) *When the POTW Director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, or has failed to comply with any provision of this Ordinance, the POTW Director may assess a civil penalty to such user in an amount not to exceed ten thousand dollars (\$10,000) per day per violation. Except in cases of appeals as herein provided, such assessments may be added to the user's next scheduled utility billing.*

(B) *The POTW Director may recover attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city.*

(C) *In determining the amount of the civil penalty, the POTW Director shall consider the following:*

- *The degree and extent of the harm to the natural resources, to the public health, or to public or private property resulting from the violation;*
- *The duration and gravity of the violation;*
- *The effect on ground or surface water quantity or quality or on air quality;*
- *The cost of rectifying the damage;*
- *The amount of money saved by noncompliance;*
- *Whether the violation was committed willfully or unintentionally;*
- *The prior record of the violator in complying or failing to comply with the pretreatment program;*
- *The costs of enforcement to the city.*

(D) *Actions for unpaid civil penalties shall be referred to the City Attorney for collection.*

(E) *A person who has been assessed a civil penalty by the POTW Director and who desires to dispute such penalty must file a written request for the POTW Director to reconsider the penalty within 30 days of being notified of the penalty. Where the request has merit, the POTW Director may convene a hearing on the matter, after due notice before an unbiased hearing officer. At the hearing sworn testimony shall be taken unless waived by the city and the user. In the event the user wishes that a full transcript of the hearing be made it shall arrange at its expense for a court reporter*

to appear and transcribe the proceedings furnishing a sealed certified copy to the city and a copy for the city's use. The civil penalty from which the user appealed shall be held in abeyance pending a final determination of the hearing. In the event the POTW Director determines that the request has no merit, he shall so notify the user and user may prosecute its appeal by filing a civil action in Superior Court of Gaston County within 60 days of the date the notice of assessment and denial of hearing on the request.

(F) Assessment of a civil penalty shall not be a bar against, or a prerequisite for, taking any other action against the user. (Or, 98-08, passed 6-7-93)

Definitions:

- Access - The City of Belmont must be allowed entry in order to inspect manifest documentation of cleaning and/or pumping and entry to any wet area of a grease contributing facility. Regular inspections will be performed during normal business hours (8:00 a.m. to 5:00 p.m., Monday – Friday); however, access shall be granted at any time as needed. Manifest documentation is required to be kept for three (3) years and must be available to city personnel for review upon inspection.
- Fats, Oils and Grease - (“FOG”). Organic polar compounds derived from the animal and/or plant sources that contain multiple carbon chain triglycerides, molecules or any other glycerides or synthetics. These substances are detectable and measurable using analytical test procedures established in 40 CFR Part 136.
- FOG Effluent Sample - Representative grab sample of FOG containing wastewater effluent taken according to 40 CFR Part 136 at the outlet of a FOG interceptor for the purpose of analysis for various pollutants of concern as defined in the City of Belmont’s Sewer Use Ordinance.
- FOG Interceptor - Grease trap, grease interceptor and/or oil/water separator.
- FOG Unit - The City of Belmont public service staff as delegated by the Wastewater Treatment Facility ORC to be responsible for administering and enforcing the Fats, Oils and Grease Ordinance.
- Food Service Establishments – Any commercial or industrial facility engaged in activities of preparing, serving, or otherwise making available food for consumption and uses one or more of the following: cooking by frying (all methods), baking (all methods), broiling (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, boiling, roasting, toasting, blanching or poaching. Also included are infrared heating, searing, barbecuing and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.
- Grease Interceptor – Devices for the separation and retention of waterborne fats, oils and grease from the effluent of grease contributing facilities. Such interceptors may be of the “outdoor” or “underground” type normally of a 1,000 gallons or more capacity.

- Grease Trap - Devices for the separation and retention of waterborne fats, oils and grease from the effluent of grease contributing facilities. Such traps are the “under-the-counter” type normally 100 gallons or less capacity.
- Grease Contributing Facilities - Any person(s), business, industrial or institutional entity that contributes, causes or discharges FOG containing wastewater into the collection system of the POTW.
- Non-Cooking Establishments – Those establishments primarily engaged in preparation of precooked foods that do not include any form of cooking. These include dairy and frozen foodstuff establishments.
- Oil/Water Separator - An In-line device used to remove oils, grease and immiscible solids from industrial/commercial process wastewater.
- POTW - Publicly Owned Treatment Works (including collection system).
- Responsible Party - The responsible party shall be considered to be the owner, operator or lessee (i.e., the permitted user) who is held responsible for proper installation and/or operation of a FOG interceptor for the purpose of complying with the City of Belmont’s FOG Ordinance.
- Technically Defensible Calculation(s) - Grease separation devices sizing options as approved by the City of Belmont Wastewater Treatment Facility ORC or designated representative.
- User - The party responsible who is deemed to be any person(s) managing or operating a business, industrial or institutional entity that contributes, causes or discharges wastewater into the POTW.
- Approved Pumper/Hauler – Any company/person permitted (G.S. 130A-291.1(c)) by North Carolina Division of Waste Management “to engage in pumping, transporting, storing, treating or disposing septage”. N.C Gen. Stat § 130A-290; Septage Management Rule 15A N.C. Admin, Code 13B.0817(a)

Any establishment operating under a variance that makes any changes such as equipment, menu, size etc., will be re-evaluated and treated as a new facility.

NEW FOOD SERVICE ESTABLISHMENTS:

All new grease contributing facilities must notify the City of Belmont FOG Unit prior to opening for business in order to receive approval for the proper sizing and installation of the grease interceptor

The City of Belmont requires a minimum size of a 1000-gallon outside grease interceptor be properly installed with inlet tee (12 inches below surface) and outlet tee (2/3 depth). Some facilities may not need this large of an interceptor; however, this basic FOG infrastructure must be in place for the event of expansion or a change in operations. Some facilities may require a larger grease interceptor; for this reason, the city of Belmont is requiring technically defensible calculation(s) be provided to support the proper sizing of the grease interceptor.

Also see “General Guidelines”; section B (Regulations).

EXISTING FOOD SERVICE ESTABLISHMENT:

For grease contributing facilities planning to commence business activities in an existing facility, the city of Belmont must be notified in advance for verification of proper infrastructure and FOG disposal procedures. However, if the City of Belmont deems it necessary after a technical evaluation, the responsible party may be required to increase the FOG interceptor capacity.

Prior to the commencement of business activities in an existing facility, the FOG interceptor shall be pumped dry by an approved pumper/hauler.

The City of Belmont must formally approve a new grease contributing facility that is opening for business in an existing facility in order to verify infrastructure requirements are being met for proper FOG disposal.

USERS OF OIL/WATER SEPARATOR(S):

Facilities such as automotive repair shops, race shops, etc. with oil storage vessels in proximity to drains connected to the POTW must have approved spill protection.

Since sampling will be difficult, dischargers of wastewater to the POTW from oil/water separators may be required to take additional actions based upon effluent pollutant analysis. These facilities are required to comply with the general guidelines as listed for all FOG contributing facilities.

Discharges of wastewater to the POTW from Oil/water separators will be assessed an annual permit fee which will be determined each year by the City Council.

The FOG unit (Pretreatment Dept.) reserves the right to inspect oil/water separators; review manifests and sample effluent as provided above (see “Access” under Definitions Section above).

GENERAL GUIDELINES FOR ALL FOG CONTRIBUTING FACILITIES:

A. Maintaining and Pumping/Cleaning Requirements

1. All grease traps/interceptors and/or oil/water separators shall be pumped on a scheduled frequency set by the FOG team to maintain compliance with this Policy. This schedule may require periodic adjustments in order to meet all requirements set forth within the Enforcement Section of this policy.

- All facilities with an outdoor/in-ground FOG interceptor of 1000 gallons or greater, shall maintain a pump & clean schedule of at least quarterly by an approved Pumper/Hauler.
- All facilities with an indoor/in-floor FOG interceptor shall maintain a pump & clean schedule of at least monthly by an approved Pumper/Hauler.
- Existing facilities with a under the sink FOG interceptor shall maintain a pump & clean schedule of at least weekly by an approved Pumper/Hauler.

2. The introduction of enzymes in a grease interceptor is prohibited unless pre-approved in writing by the FOG team. Solvents and Surfactants or any other substances used for maintenance of drain lines are also prohibited unless pre approved in writing by the FOG unit.
3. Water removed from trap/interceptor shall not be reintroduced to the trap itself (backwashing).
4. The transportation and/or disposal of sludge generated by FOG interceptors shall be subject to applicable federal, state and local regulations.
5. The User is responsible for the proper removal and disposal of captured (sludge) material, by appropriate means. All organic and inorganic solids reduce the effective volume of the FOG interceptor and are required to be removed. All floating material is required to be skimmed.

B. Requirements

1. Interior baffles to distribute flows.
2. Access manholes with a minimum diameter of twenty-four (24) inches, shall be provided over the influent and effluent chambers of the interceptor. The access manholes shall extend at least to finish grade and be designed to prevent inflow or infiltration. The manholes shall also have readily removable covers (not to exceed 100 lbs) to facilitate inspection, grease removal and wastewater sampling activities.
3. FOG interceptors must be installed by a licensed plumber and shall conform to the Uniform Plumbing Code.
4. User shall install FOG interceptors as required by the City of Belmont. FOG interceptors shall be installed at the User's expense, when such user operates a Food Service Establishment.

C. Approval

1. All new FOG contributing facilities must notify the City of Belmont FOG Program prior to opening for business in order to receive approval for the proper sizing and installation of the FOG Interceptor.
2. All FOG contributing facilities shall have grease trap(s), FOG interceptor(s) and/or oil/water separator(s) approved by the City of Belmont. Interceptor design, construction and installation are all subject to final approval by the FOG unit.
3. The FOG unit reserves the right to make determinations of grease trap/interceptor adequacy and need based on review of all relevant information regarding grease trap/interceptor performance, maintenance, and facility site and building plan review to require repairs, modification or replacement of such traps or interceptors.

D. Inspections/Services Records/Sampling

1. All new and existing FOG contributing facilities discharging wastewater to the POTW shall grant access to the City of Belmont's FOG unit for the purpose of inspection sampling, record examination and copying or the performance of any of their duties. The FOG unit shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Denial of the FOG unit access to the user's premises shall be in violation of this program. Unreasonable delays may constitute denial of access (see "Access" under Definitions Section above).
2. Pumping, service and maintenance manifest documentation must be readily accessible for review

E. Other

1. Any establishment found in violation of this Policy (i.e., manifest are not readily accessible for review and/or incomplete pumping, etc.) will be subject to enforcement actions as established in the City of Belmont's *Sewer Use Ordinance and defined in the Enforcement Plan*.
2. If grease is responsible for a sewer blockage, all Food Service Establishments upstream from the blockage will be inspected.

ANNUAL PERMIT FEE:

All FOG contributing facilities will be assessed an annual permit fee which will be determined each fiscal year by the City Council. This municipal fee will help offset the following: sampling and analysis (as needed), administrative duties, personnel, travel/vehicle expense, etc. There will be a late fee of 5%, per month, for every month payment is not received.

FOG ENFORCEMENT:

Any FOG contributing facility that is not in compliance with the City of Belmont's FOG Program and/or Sewer Use Ordinance will be subject to enforcement actions as established in the City of Belmont's Enforcement response plan. (See Authority)

This policy may be modified or changed by the City of Belmont at any time in accordance to the requirements of the City Code, North Carolina General Statute and Federal Regulations.

The fines provided for in this section are not exclusive and do not prohibit the Director from using any other remedy provided by the law.

A. Minor Violation:

1st Offense:

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|---|----------|
| Failure to submit records: | \$50.00 |
| Inspection hindrance (equipment related): | \$50.00 |
| Failure to maintain on site records: | \$50.00 |
| Failure to pump grease & submit record: | \$150.00 |

2nd Offense:

| | |
|---|----------|
| Failure to submit records: | \$100.00 |
| Inspection hindrance (equipment related): | \$100.00 |
| Failure to maintain on site records: | \$100.00 |
| Failure to pump grease & submit records: | \$300.00 |

3rd Offense:

| | |
|---|----------|
| Failure to submit records: | \$150.00 |
| Inspection hindrance (equipment related): | \$150.00 |
| Failure to maintain on site records: | \$150.00 |
| Failure to pump grease & submit records: | \$450.00 |

4th Offense:

| | |
|---|-----------|
| Failure to submit records: | \$300.00 |
| Inspection hindrance (equipment related): | \$300.00 |
| Failure to maintain on site records: | \$300.00 |
| Failure to pump grease & submit records: | \$1000.00 |

B. Intermediate Violation:

**Failure to maintain necessary equipment
(T's, grease trap not watertight, baffles, etc.)**

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|------------------------------|-----------|
| 1 st Offense | \$150.00 |
| 2 nd Offense | \$300.00 |
| 3 rd Offense | \$500.00 |
| 4 th Offense & up | \$1000.00 |

C. Major Violation:

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|---|-----------|
| Source of sewer blockage (minimum) | \$500.00 |
| Source of sanitary sewer overflow (minimum) | \$1000.00 |
| Falsification of maintenance records | \$1000.00 |

Should there be any questions concerning this policy; feel free to contact the Pretreatment Staff.

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