



# **SEWER PRE-TREATMENT FATS, OIL & GREASE (FOG) CONTROL REGULATIONS**

Lake Stevens Sewer District Updated March 2018

**LAKE STEVENS SEWER DISTRICT SEWER PRETREATMENT: FOG REGULATIONS**

**Contents**

I. PURPOSE..... 1

II. AUTHORITY ..... 1

III. FOG PRETREATMENT REQUIRED..... 1

IV. GREASE REMOVAL SYSTEM REQUIRED - WHEN ..... 2

V. WASHING FACILITIES, GREASE RACK -PRETREATMENT..... 2

VI. FOG PRETREATMENT FACILITIES INSTALLATION AND MAINTENANCE..... 3

VII. GREASE REMOVAL SYSTEM ADDITIVES ..... 3

VIII. GREASE REMOVAL SYSTEM SIZING..... 4

IX. RECORD KEEPING / REPORTING REQUIREMENTS ..... 4

X. INSPECTION OF FACILITIES ..... 4

XI. RIGHT TO ENTER..... 5

XII. REPORT TIMING..... 5

XIII. VIOLATIONS: REMEDIES..... 5

XIV. FOG FACILITY MAINTENANCE: COMPLIANCE ..... 5

XV. NOTICE OF VIOLATION AND ADMINISTRATIVE ORDER ..... 6

XVI. ADMINISTRATIVE HEARING..... 6

XVII. CIVIL PENALTIES..... 7

XVIII. LIABILITY FOR EXPENSES AND FINES ..... 7

XIX. RIGHT TO WRITTEN INTERPRETATION OF REGULATIONS ..... 8

XX. SEVERABILITY ..... 8

9.10.??? Excessive FOG Discharge Fine Schedule.....2

## **I. PURPOSE**

This policy sets forth uniform requirements for Food Service Establishments or any business that discharges Fats, Oils, and Greases (FOG) into the wastewater collection system of the Lake Stevens Sewer District's Publicly Owned Treatment Works (POTW). The objectives of this policy are:

To prevent the introduction of FOG into the POTW that will interfere with the operation of the POTW;

To prevent blockages and Sanitary Sewer Overflows (SSO's) caused by FOG in the sanitary sewer collection system.

This policy and these regulations authorize inspection and regulation of these users; authorizes monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user record keeping and provides for the issuance of control mechanisms if deemed necessary by the General Manager and/or Pre-Treatment Staff. "Pre-Treatment Staff" for the purposes of this policy and these regulations means the administrative and technical staff of the District responsible for management and abatement of fats, oils and grease.

Except as otherwise provided herein, These regulations and this policy shall be administered, implemented and enforced by the General Manager and/or Pre-Treatment Staff. The General Manager and/or Pre-Treatment Staff may create administrative guidelines to implement the provisions of these regulations.

The District reserves the right to enforce pretreatment and accept fees on a case by case basis. When any of the above conditions exist, the owner shall provide at his or her expense, removal from the waste stream, or such preliminary treatment as necessary to comply with the above standards.

## **II. AUTHORITY**

The authority by which the Lake Stevens Sewer District administers this Sewer Pretreatment FOG Control Policy is based on and referenced by the following:

1. The Clean Water Act (Federal Water Pollution Control Act);
2. Environmental Protection Agency;
3. The Washington State Department of Ecology
4. Standard Methods for the Examination of Water and Wastewater, latest approved edition.

## **III. FOG PRETREATMENT REQUIRED**

1. Forbidden Waste Stream Discharges: The District prohibits the discharge into the public sewer of any waters or wastes having:
  - a. A 5-day Biological Oxygen Demand (BOD) greater than 400 parts per million-weight, or
  - b. Containing more than 450 parts per million by weight of suspended solids, or

- c. Fat, Oil, and Grease (FOG) concentration greater than 100 mg/L for the composite of three samples taken off the waste stream at greater than 5-minute intervals, or
  - d. A temperature of 150° Fahrenheit or greater, or
  - e. A pH below 6.0 or above 9.5, or
  - f. Commercial garbage grinder waste stream, or
  - g. Any combination of the above shall be prohibited at the District's discretion.
2. All Food Service Establishments that serve or prepare food, or any other establishment from which a considerable amount of FOG may be introduced to the sewer system shall have an adequate grease removal system installed and exercise proper kitchen best management practices to ensure that excess concentrations of FOG are not discharged to the POTW.
  3. These pretreatment facilities must be grease interceptors or other approved Grease Removal Systems (GRS's) installed in the waste line leading from sinks, drains, or any other fixture where FOG may be discharged. The grease interceptors and other grease removal systems must meet, at a minimum, the specifications of the current Uniform Plumbing Code as adopted by the District at the time of construction. Pre-Treatment Staff may grant a variance on the type or size of grease removal system required as deemed appropriate under extraordinary circumstances. Dischargers must maintain these systems in a manner that will always prevent fat waste, oil, or grease from being carried into the sewer system. Fat waste, oil or grease removed from such a system shall not be disposed of in sanitary sewers.
  4. Containment of fats, oils and grease shall be in approved containers and the surrounding area shall be clean of any residue. Containers shall be inside a covered enclosure that is kept clean and capable of containing all spillage from the containers.
  5. All potential FOG dischargers shall fill out a survey/application. The District will evaluate the data furnished by the potential discharger and will determine whether or not they are a FOG producer requiring a Pre-Treatment fee.

#### **IV. GREASE REMOVAL SYSTEM REQUIRED - WHEN**

1. Any Food Service Establishment with a commercial kitchen and/or a 3-compartment sink shall be required to utilize a Grease Removal System.
2. If any Food Service Establishment or other establishment where FOG may be introduced to the sewer system are sold or leased, the new owners, tenants, or operators must fill out a new survey/application and pay the applicable Pre-Treatment Fee(s) within thirty (30) days. In the event that an existing business is not capable of fully utilizing the existing grease removal system due to faulty or incomplete plumbing, or the existing grease removal system is inadequate, the business shall, within twelve (12) months of notification, make whatever corrections or upgrades necessary to bring their system into compliance.
3. The cost of FOG discharge Pre-Treatment Fee shall be \$150-\$500 annually, depending on discharge rates and compliance. Upon request, Pre-Treatment Fees can be prorated into monthly bill or paid in an annual lump sum.

#### **V. WASHING FACILITIES, GREASE RACK -PRETREATMENT**

Dischargers who operate automatic and coin-operated laundries, car washes, filling stations, commercial garages or similar businesses having any type of washing facilities or grease racks and any other dischargers producing grit, sand, oils, or other materials which have the potential of causing partial or

complete obstruction of the building sewer or other areas in the sewer system shall install and maintain approved sand and oil separator in accordance with the latest specifications adopted by the District such that excessive amounts of oil, sand and inert solids are effectively prevented from entering the POTW sewer.

## **VI. FOG PRETREATMENT FACILITIES INSTALLATION AND MAINTENANCE**

1. All GRS's, to prevent the discharge of fat waste, oil, or grease shall be installed, maintained, and operated by the discharger at the discharger's own expense. The installation shall be kept in continuous operation always, and shall be maintained to provide efficient operation.
2. All kitchen fixtures used for FOG disposal must be connected to a GRS.
3. Cleaning of an interceptor style GRS must be performed by a service contractor qualified to perform such a cleaning. Trap style GRS's may be maintained by the establishment IF all procedures for cleaning AND disposal of all waste materials is done properly.
4. GRS's must be cleaned whenever the combined thickness of the floating greases and settled solids is equal to or greater than twenty five percent (25%) of the total liquid depth in the GRS. When cleaned, an interceptor-style GRS must be completely pumped out, all solids removed, solidified grease scraped from the interior and the structure and all internal plumbing inspected for damage and corrosion. The GRS shall be refilled with cold water prior to being placed back into operation. If repairs are required, they shall be performed within fourteen (14) days.
5. When cleaned, the trap style GRS must have surface grease and oil removed, settled solids removed, all sides scraped, removable parts removed and cleaned, be inspected for damage and corrosion, and be properly reassembled. If repairs are required, they shall be performed within fourteen (14) days.
6. Facilities shall educate all applicable employees to use best management practices to prevent FOG from being discharged from the facility. This includes:
  - a. Dry wiping and scraping food waste and grease into garbage before washing dishes and cooking utensils;
  - b. Sweeping floors prior to mopping;
  - c. Pouring waste grease into grease container;
  - d. Use spill kits to absorb spilled grease instead of wet mopping.
7. Material that is removed in the process of cleaning a GRS shall not be discharged back into the GRS, any part of the POTW, any private sewer, any drainage piping, or toilet. All materials removed shall be handled and disposed of in accordance with Federal, State, County and Local laws, rules and regulations. In addition to the maintenance required above, Automatic Grease Removal Systems shall be maintained in accordance with the manufacturers' guidelines.
8. If a failure to maintain settling tanks, grit traps, grease removal systems, oil/water separators or any other grease pretreatment facility results in partial or complete blockage of the building sewer or other parts of the POTW, adversely affects the treatment or transmission capabilities of the POTW, or requires excessive maintenance by the District, the discharger shall be responsible for the cost of damages, remediation, as well as enforcement and penalties as specified in these regulations.

## **VII. GREASE REMOVAL SYSTEM ADDITIVES**

The use of any additive, such as enzymes, chemicals, or bacteria, as a substitute for grease traps or interceptors or the maintenance of grease traps or interceptors is prohibited. In no case shall any additive that emulsifies fats, oils or grease be used. Any use of additives as a supplement to grease interceptors

shall first be authorized in writing by Pre-Treatment Staff prior to their use by the facility owner. Safety Data Sheets (SDS) and any other applicable information concerning the composition, frequency of use and mode of action of the proposed additive shall be sent to the District together with a written statement outlining the proposed use of the additive. Based on the information received and any other information solicited from the potential user or supplier, the District shall allow or deny the use of the additive in writing. Permission to use any specific additive may be withdrawn by the District at any time if violations of this section occur.

## **VIII. GREASE REMOVAL SYSTEM SIZING**

1. The type (Grease Trap or Grease Interceptor) and size of the GRS shall be based on the 'Sizing of Grease Interceptors' formula as defined in the currently adopted Uniform Plumbing Code.
2. In no case shall a grease trap smaller than twenty (20) gallons/minute or larger than fifty-five (55) gallons/minute be installed without approval of Pre-Treatment Staff.
3. In no case shall a grease interceptor smaller than one thousand (1000) gallons be installed without prior approval of Pre-Treatment Staff. The maximum size for an interceptor shall be four thousand (4000) gallons. If the calculated minimum size is larger than this, two interceptors of approximately equal size shall be installed in series. If the calculated minimum size is larger than eight thousand (8000) gallons, two four thousand (4000) gallon interceptors shall be installed in series.
4. If an alternative interceptor design is proposed, approval in writing by Pre-Treatment Staff is required before installation.

## **IX. RECORD KEEPING / REPORTING REQUIREMENTS**

1. Users subject to these regulations shall document all cleaning and maintenance activities performed on their GRS, and make these documents available upon request. Copies of all cleaning receipts shall be forwarded to the District. These receipts and maintenance records shall be posted near the GRS and retained for three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the POTW, or where the user has been specifically notified of a longer retention period required by Pre-Treatment Staff.
2. Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report by the District shall govern.
3. Report Contents  
FOG Producers shall report the following information:
  - a. Records of cleaning and maintenance of GRS
  - b. Records of employee education

FOG Producers who properly report records, and are compliant, will receive District approval for fewer inspections. To report compliance, FOG producers shall fax or email documentation to (425) 335-5947 or FOG@lkstevenssewer.org

## **X. INSPECTION OF FACILITIES**

Authorized personnel of the Lake Stevens Sewer District may inspect the wastewater facilities and equipment of any POTW user at any time during normal business hours to ascertain whether the applicable District ordinances, rules and regulations, Pre-Treatment Reporting and Fee requirements and applicable

national categorical pretreatment standards are being met. Persons or occupants of premises where FOG is produced or discharged shall allow any representative of the Lake Stevens Sewer District ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, record examination or in the performance of their official duties as a District employee. The District shall have the authority to set up, on the user's property, such devices as are necessary to conduct sampling, inspection, compliance monitoring or flow metering operations. Where a discharger has security measures in force which would require proper identification and clearance before entry onto their premises, the discharger shall make all necessary arrangements with their security personnel so that upon suitable and proper identification authorized wastewater management personnel, including but not limited to employees of the District, the Washington State Department of Ecology, and the U.S. Environmental Protection Agency, will be permitted to enter the premises without delay for the purpose of performing their specific responsibilities and duties. To the extent that reinspection by Pre-Treatment Staff is required, there will be a fifty-dollar (\$50.00) fee charged by the District.

#### **XI. RIGHT TO ENTER**

In the event the Lake Stevens Sewer District or its designee is refused admission to the discharger's premises, Lake Stevens Sewer District may invoke the Excessive FOG Fine Schedule until the District's representatives have been afforded reasonable access to the premises to accomplish any required inspection, sampling or flow monitoring. Discharge without payment of the required Pre-Treatment Fee and/or complying with the required Pre-Treatment Reporting Requirements is an un-permitted discharge and as such subject to penalties under the Lake Stevens Sewer District's Excessive FOG Fine Schedule (Appendix A).

#### **XII. REPORT TIMING**

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report by the District shall govern.

#### **XIII. VIOLATIONS: REMEDIES**

Whenever Pre-Treatment Staff finds that any person has violated or is violating any of the provisions of this section, they may take one or more of the following actions:

1. Apply the District's Excessive FOG Fine Schedule;
2. Complete emergency repair work at dischargers' expense;
3. Send Notice of Violation and Administrative Order;
4. Assess civil penalties;
5. Seek criminal penalties;
6. Seek any other legal or equitable remedy.

#### **XIV. FOG FACILITY MAINTENANCE: COMPLIANCE**

A violation shall occur if:

1. There are any discharges of any substance or FOG greater than the provisions or restrictions of these

regulations;

2. There is any failure to maintain GRS's, grit interceptors, or oil/water separators which causes maintenance on any POTW sewer line to be greater than once every two years caused by excessive oil, grease, or fat buildup in the sewer lines; or excess buildup of sand, gravel or other materials clogging the sewer lines. The lack of any device to prevent discharge of grease, oil, fats, sand, gravel, or any other materials which will cause excessive maintenance of the sewer lines shall indicate the discharger of the responsibility of liability for any costs to District for excessive maintenance and/or other costs incurred by the District.

## **XV. NOTICE OF VIOLATION AND ADMINISTRATIVE ORDER**

Upon inspection, should Pre-Treatment Staff find a discharger has violated or is violating any of the provisions of these regulations, Pre-Treatment Staff may notify a responsible person at the discharger's property verbally, outlining steps necessary to come into compliance. Pre-Treatment Staff may return seven (7) days after the inspection to re-inspect, for a minimum fee of \$50, which may be waived if the discharger has come into compliance.

If the discharger remains non-compliant, Pre-Treatment Staff, may issue upon such discharger a written notice of violation and administrative order stating the nature of the violation(s) and providing a reasonable time, not to exceed forty-five (45) days, except as otherwise provided for herein, for the satisfactory correction thereof. The order shall establish specific actions in a compliance schedule to be taken and/or procedures to be implemented by the discharger at the discharger's expense, to assure compliance with this section and these regulations. The notice and order shall be sent to the user via certified mail or perfected pursuant to personal service.

The discharger may request a meeting with Pre-Treatment Staff to discuss the violation(s) and compliance schedule within ten (10) days following issuance of the administrative order. The order may be modified following the written response or meeting to include a revised schedule to correct the violations, if the discharger demonstrates to Pre-Treatment Staff that just cause exists for such modification. The final date of compliance in any modified compliance schedule shall not extend beyond one hundred eighty (180) days from date of issuance of the original administrative order.

Failure to comply with any terms or requirements of a compliance schedule order by the discharger shall be an additional and independent grounds for application of the District's Illegal Fine Schedule, civil penalties, criminal penalties, and/or completion of necessary work at the discharger's expense.

## **XVI. ADMINISTRATIVE HEARING**

A discharger shall have the right to an administrative hearing before Pre-Treatment Staff to contest the District's determination:

1. To apply the Excessive FOG Fine Schedule;
2. To impose civil penalties against the discharger; or
3. That the discharger has violated a compliance schedule order.
4. Any hearing pursuant to this section must be requested by the discharger in writing within 14 days after the discharger receives notice of the District's determination. The discharger's written request for hearing shall be filed with Pre-Treatment Staff. The District shall conduct the hearing within fifteen (15) business days of the receipt of the request (or within five (5) business days if the discharger is contesting application of the Excessive FOG Fine Schedule).



## **XVII. CIVIL PENALTIES**

Any person who violates any of the provisions of these regulations specifically listed in Section III, or any permit or administrative order issued under these regulations which contains such provisions, shall be subject to a civil penalty for each violation. Nothing in this section shall prevent the District from taking action or seeking relief under any other sections of these regulations for any violations of the provisions of this section or any permit issued hereunder.

1. If reports required by these regulations, or federal pretreatment regulations are submitted later than thirty (30) days after they are due, the discharger shall be subject to civil penalties of \$25.00 per day for a maximum of twenty (20) working days. The penalty shall then be increased to \$100.00 per day with a maximum fine of \$1,000. In the event the reports have not been submitted at the time the maximum penalty is imposed, the District shall apply the Excessive FOG Fine Schedule.
2. If any of the actions prescribed in any compliance schedule established by any permit or administrative order are not complete within thirty (30) days of the time they are required to be complete, the discharger shall be subject to civil penalties of \$100.00 per day for a maximum of sixty (60) days for each day the action(s) have not been completed. In the event the actions have not been completed ninety (90) days after the date scheduled in the permit or order the District shall apply the Excessive FOG Fine Schedule.
3. Failure to meet maintenance, cleaning, fixture connection, or best management practice posting requirements upon inspection may result in the need for an additional inspection. Should an additional inspection become necessary, a fee of \$50 shall be applied to the discharger, and proof of employee education shall be provided upon request. This fee shall be waived if the discharger has come into compliance by the second inspection.
4. If a discharger fails to maintain grease, oil and/or sand removal systems or has no system to remove grease, oil or sand which results in excessive maintenance by the District of the POTW, the discharger shall be subject to a civil penalty of \$500.00, in addition to the costs incurred by the District to perform the maintenance.
5. If excessive maintenance is required a second time within a three (3) year period, the penalty shall be \$1,000 which shall be added to the costs of maintenance by the District. In the event excessive maintenance continues, the District shall apply the Excessive FOG Fine Schedule. A discharger shall be subject to a civil penalty of \$100.00 for discharge of any substance or FOG in excess of the provisions or restrictions of these regulations, or for failure to comply with an approved FOG control plan, for each and every day that the violation continues.
6. Failure to provide accurate or complete information on any wastewater discharge reports pursuant to Section IX, or the requirements of a discharge permit shall result in a civil penalty of \$100.00 for the first offense. Thereafter the discharger shall be subject to additional inspection visits and associated expenses.

In addition to the assessments described above, any costs incurred by the District, including reasonable attorneys' fees, due to violations subject to civil penalty shall be added to the total amount of the civil penalty assessment pursuant to Lake Stevens Sewer District Code 9.10.160.

## **XVIII. LIABILITY FOR EXPENSES AND FINES**

1. Any discharger violating provisions of these regulations shall be liable for any expense, loss or damage caused to the POTW by reason of such violation, including increased costs for sewage treatment, sludge treatment and disposal and POTW operation and maintenance expenses when such increased costs are the result of the discharger's discharge.
2. If the discharger discharges pollutants that cause the District to violate any condition of its National Pollutant Discharge Elimination System (NPDES) permit and to be fined by the United States Environmental Protection Agency or the state for such violation, the discharger shall be liable to the District for the total amount of the fine assessed against the District, including, without limitation, all legal, sampling, analytical and Criminal penalties.
3. Any person who willfully violates any of the provisions of this Section or any of the requirements contained in these regulations, or continues any violation(s) beyond the time limit(s) specified in Section XV shall be guilty of a gross misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding \$5,000. Each day's violation of the provisions of these regulations may be deemed a separate offense.

#### **XIX. RIGHT TO WRITTEN INTERPRETATION OF REGULATIONS**

Any discharger or any interested party shall have the right to request an interpretation or ruling by the District on any matter covered by these regulations. The request must be in writing and must be addressed to the District's Pre-Treatment Staff. The District shall provide a written response within ten (10) working days. A request pursuant to this section shall not stay or otherwise affect enforcement proceedings.

#### **XX. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or word of these regulations should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of these regulations.

Appendix A  
Excessive FOG Discharge Fine Schedule

9.10.??? Excessive FOG Discharge Fine Schedule.

---

(1) Excessive FOG discharges to the District's system of sewerage (i.e., connections made without the inspection, permission or approval of the District) will be charged a rate of \$1,000 upon discovery of the excessive discharge, together with \$100.00 per day for each subsequent day of violation.

(2) Any unpaid amounts for rates charged to excessive FOG discharge shall accrue and may be recorded as a lien against the property which is illegally discharging FOG.

(3) In order to be removed from the class of customers designated as excessive FOG dischargers, a property owner or the owner's representative must pay all accrued rate charges, all pending connection charges, all required permit fees, and receive all necessary inspections, reviews, approvals and permits from the District. Specifically, and without limitation, the District may require inspection of the sewerage improvements, with the costs of such inspection borne by the owner of the property excessively discharging FOG into their sewerage service. [Res. ??? §§ 1 – 3, 2000.]

Appendix B

BMP's  
and  
Employee Sign-In Sheet