

ORDINANCE NO. _____

An Ordinance Amending the Municipal Code of the City of Millville: Be it Ordained by the Governing Body of the City of Millville in the County of Cumberland as Follows:

**CHAPTER 56
SEWER AND WATER**

ARTICLE VIII

Sewer Discharge Control Regulations for Fats, Oils and Greases

Section 56-73. Purpose and scope

The City of Millville is the Owner and NJDEP permittee of the municipal wastewater treatment facility and sanitary sewage collection system. The City has established regulations for sanitary sewage dischargers within the municipal service area. The following regulations are hereby established to protect the public health, safety and welfare. These regulations are established to aid in the prevention of sanitary sewer blockages, odors, and obstructions from contributions and accumulations of fats, oils, and greases into the municipal sewer system from commercial or industrial establishments, particularly food preparation and serving facilities. Such clogs can result in sewer backups into homes or local waterways, and result in increased maintenance costs of the collection system and treatment facility.

Section 56-74. Definitions

As used in this article, the following terms shall have the meanings indicated unless the context clearly indicates that a different meaning is intended.

FATS, OILS, AND GREASES – Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as “F.O.G.” (fats, oils, greases).

GREASE TRAP OR INTERCEPTOR – A device for separating and retaining waterborne F.O.G. complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment facility. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system. Grease Traps and Interceptors are sometimes referred to as Grease Interceptors.

COOKING ESTABLISHMENTS – Those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption, foodstuffs and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), boiling, blanching, roasting, toasting, 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. Users are including, but not limited to, cafeterias, hospitals, hotels, restaurants (including fast food establishments), church halls, school kitchen operations, supermarket food processing areas, or other non residential establishments.

NON-COOKING ESTABLISHMENTS – Those establishments primarily engaged in the preparation of precooked foodstuffs that do not include any form of cooling. These include cold dairy and frozen foodstuffs preparation and serving establishments.

MINIMUM DESIGN CAPACITY – The design features of a grease interceptor and its ability or volume required to effectively intercept and retain F.O.G. from grease-laden wastewaters discharged to the public sanitary sewer.

USER – Any person, including those located outside the jurisdictional limits of the municipality, who contributes, causes or permits the contribution or discharge of wastewater into the POTW. This includes persons who contribute such wastewater from mobile sources such as those who discharge hauled wastewater.

Section 56-75. Grease interceptor maintenance, record keeping and grease removal.

- A. Grease Interceptors shall be installed by Users as required by the City Engineer, Superintendent of the Sewer Utility or their designee. Grease Interceptors shall be installed at the User's expense, when such User operated a Cooking Establishment. Grease Interceptors may also be required in non-cooking or cold dairy and frozen foodstuffs establishments and other industrial or commercial establishments when they are deemed necessary by the City Engineer, Superintendent of the Sewer Utility, or their designee for the proper handling of liquid wastes containing F.O.G. No User shall allow wastewater discharge concentration from subject Grease Interceptor to exceed 30 milligrams per liter. All Grease Interceptors shall be of a type, design, and capacity easily accessible for User cleaning and City inspection. All such Grease Interceptors shall be inspected and serviced as required in order to maintain Minimum Design Capacity or effective volume of the Grease Interceptor, or less often than every 30 days.

- B. Users who are required to pass water through a Grease Interceptor shall:
- (1) Provide for a minimum hydraulic retention time at actual peak flow and at the calculated theoretical peak flow rate as predicted by the Uniform Plumbing Code fixture criteria, between the influent and effluent baffles with 20% of the total volume of the Grease Interceptor being allowed for sludge to settle and accumulate, identified hereafter as a “sludge blanket”.
 - (2) Remove any accumulated grease cap and sludge blanket as required, but at intervals of not longer than 90 days at the User’s expense. Grease Interceptors shall be kept free of inorganic solid materials such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags, etc. which could settle and thereby reduce the effective volume of the Grease Interceptor.
 - (3) Accept the following conditions: if any skimmed or pumped wastes or other materials removed from the Grease Interceptor are treated in any fashion onsite and reintroduced back into treatment, the User shall be responsible for the attainment of established Grease numerical limit consistent with that described in subsection A above on all discharges of wastewater from said Grease Interceptor into the City of Millville’s sanitary sewer collection and treatment system.
 - (4) Operate the Grease Interceptor in a manner so as to maintain said device such that attainment of the grease limit is consistently achieved. “Consistently” shall mean any wastewater sample taken from said Grease Interceptor shall be subject to terms of to terms of numerical attainment described in subsection A above. If an establishment desires, because of documented space constraints, an alternate to an out-of-building Grease Interceptor, the request for an alternative location shall contain the following information.
 - (a) Location of city sewer main and easement in relation to available exterior space outside building.
 - (b) Existing plumbing at or in a site that uses common plumbing for all services at the site.
 - (5) Understand and agree that: The use of biological additives as an F.O.G. degradation agent is conditionally permissible, upon prior written approval by the City Engineer and the Sewer Utility Superintendent. Any establishment using this method of F.O.G. abatement shall maintain the trap or interceptor in such a manner that attainment of the F.O.G. wastewater discharge limit as measured from the trap’s outlet is consistently achieved.

- (6) Understand and agree that: The use of automatic F.O.G. removal systems is conditionally permissible upon prior written approval by the City Engineer and the Sewer Utility Superintendent, the Lead Plumbing Inspector of the City of Millville, the County Department of Health, and the NJDEP. Any establishment using this equipment shall operate the system in such a manner that the attainment of the F.O.G. wastewater discharge limit, as measured from the unit's outlet is consistently achieved.
 - (7) Understand and agree that: F.O.G. recovered on-site for off-site disposal shall meet the following minimum requirements:
 - (a) All solid wastes shall be stored in appropriate containers.
 - (b) Users and disposers shall comply with all applicable hazardous waste regulations of the NJDEP and the NJDOT
 - (c) Users shall maintain records of types and volumes of all waste generated. These records must be maintained for a period of 5 years.
 - (8) Understand and agree that: The City Engineer and the Sewer Utility Superintendent reserve the right to make determinations of Grease Interceptor adequacy and need, based on review of all relevant information regarding Grease Interceptor performance, facility site and building plan review and to require repairs to, or modifications or replacement of such traps.
- C. The User shall maintain a written record of Grease Interceptor maintenance for 5 years. All such records will be available for inspection by the City at all times.
- D. Non-F.O.G. laden sources are not allowed to be connected to sewer lines intended for Grease Interceptor service.
- E. No wastewater in excess of 140 degrees F (60 degrees C) shall be discharged into a Grease Interceptor.
- F. Grease Interceptors shall be installed as required by these regulations. Except as provided herein, for a period of one year following the adoption of these regulations, no enforcement actions will be taken under these regulations for failure to achieve limits on F.O.G. discharges from Grease Interceptors. If, during this one year period an obstruction of a City sewer main(s) occur that causes a sewer overflow to the extent that an impact on the environment is realized and that said overflow or failure of the sanitary sewer collection system to convey sewage can be attributed in part or in whole to an accumulation of F.O.G. in the City's sewer main(s), the City will take appropriate enforcement actions as stipulated in Section 56-76 (Violations and Penalties) against the generator or contributor of such F.O.G.

- G. Access manholes, with a minimum diameter of 24 inches shall be provided over each chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manhole shall also have readily removable covers to facilitate inspection, residuals removal, and wastewater sampling activities.

Section 56-76. Violations and penalties.

A person violating any of the provisions of these regulations, any provision of the Pretreatment Standards for Sewerage NJS 58:11-49 et seq., NJAC 7:14 et seq., or any regulations promulgated there under, shall be liable for a penalty of not more than \$50,000.00 per day(58:11-49). If the violation is of a continuing nature each day shall constitute a separate and distinct violation. The City shall seek penalties as referenced in the City's Emergency Response Plan. In accordance with NJAC 7:14-8.1(f), the City shall assess the following Civil Administrative Penalty Assessments:

- A. The City shall assess a mandatory minimum penalty of not less than \$1,000.00 for each serious violation as defined in NJS 7:14-8.16.
- B. The City shall assess a mandatory minimum penalty of not less than \$5,000.00 for each violation that causes a violator to be, or continue to be, a significant non-complier as defined in NJS 7:14-8.16.
- C. Each violation, including each parameter that is required to be monitored, sampled and reported and that is not monitored, sampled and reported, is an additional, separate and distinct violation. Each day during which a violation continues shall constitute an additional, separate distinct violation.
- D. The requirement that the City assess penalties pursuant to the City's Enforcement Response Plan, shall in no way be construed to limit the ability of the City to assess a penalty, bring an action for a penalty for a violation at any time after a violation occurred, or to assess a more stringent penalty against a person pursuant to the City's Enforcement Response Plan.
- E. The City Engineer; Sewer Utility Superintendent or their designee shall issue a Notice of Violation. The Notice of Violation shall be sent certified mail, return receipt requested to the offending party. The offending party will be directed to show why service should not be terminated or penalties imposed. Notice shall be served on the offending party to show why enforcement action should not be taken.

Section 56-77. Information purposes only

The City is providing the following information to assist the User in meeting the requirements set forth in these rules and regulations. The City is not making any representations or warranties concerning the information being provided.

- A. A sample copy of a grease system cleaning log is attached. Users should begin utilizing the sample form or one that suits their own requirements as long as the form used contains all of the information which is on the sample form. These records shall be maintained on file for review by inspectors and for later submission to the municipal Sewer Utility as provided in these rules and regulations.
- B. A list of oil and grease haulers and recyclers who are available to assist Users in cleaning and/or removing accumulated grease is set forth below. The City is not recommending any particular vendor. This list is being provided for informational purposes only. The City has not investigated the business practices of any of the haulers on this list. Other haulers also exist.

Rendering Companies F.O.G.

Darlington International, Newark, NJ; 1-800-914-1221
Mopac; 1-800-967-8325
Russell Reid; 1-800-356-4468
Kemco Rendering; 732-869-0981

Pumping & Transportation Companies

M&E Soap; 973-539-6433
OilMatic; 1-877-379-3764
American Bye Products, Morristown, NJ; 973-267-0109
Allstate Power Vac, Inc.; 732-815-0220
Russell Reid; 1-800-356-4468
Gary W. Gray Trucking, Inc.; 908-962-1890
Spectraserv Inc.; 973-589-0277

Hood Cleaning Companies

Fire Equipment; East Hanover, NJ; 973-560-1600
USA Pressure Cleaning, Jersey City, NJ; 210-432-1100

- C. A list of selected Internet web sites that provide guidance in the purchase and maintenance of grease traps and interceptors, and provide answers to frequently asked questions about these systems is set forth below. The City does not recommend or endorse any of these products or manufacturers. This list is provided for informational purposes only, and the City recommends that a Users retain independent an independent environmental professional before investing in or installing any grease trap or interceptor.

www.greaseland.com

www.mopac.com

www.epa.gov

Section One. **Repealer.** All former Ordinances of the City of Millville which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of this Ordinance. However, this repeal shall not affect or prevent the prosecution or punishment of any person for any act committed in violation of any Ordinance hereby repealed prior to the effective date of this Ordinance.

Section Two. **Severability.** If any part or parts of this Ordinance are held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section Three. This Ordinance shall take effect after final approval and publication as required by law.

ADOPTED:

Mayor

Commissioners

ATTEST:

Lewis N. Thompson, City Clerk