

CITY OF SEGUIN

ORDINANCE NO. 11-06

STATE OF TEXAS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING CHAPTER 18. BUILDINGS & BUILDING REGULATIONS, ARTICLE IV. PLUMBING CODE, DIVISION 2, SECTION 197. GREASE INTERCEPTORS, (4)(b); (8)(a),(c),(d); (9)(a),(d),(c); (11)(d); PROVIDING FOR PENALTIES; PROVIDING FOR PROCEDURAL REQUIREMENTS; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Seguin, Texas desires to provide for the safe, orderly and healthful development of the city; and

WHEREAS, the City Council of the City of Seguin, Texas recognizes it is in the best interests of the residents of Seguin, Texas that requirements be established for the installation, maintenance and operations of grease interceptors; and

WHEREAS, the City Council of the City of Seguin, Texas acknowledges that revisions to these said requirements may be necessary from time to time.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Seguin, Texas as follows:

Section 1. Chapter 18, Article IV, Division 2, Section 197, is amended as follows (underlining indicates added or amended text, ~~striketrough~~ indicates deleted text).

Sec. 18-197. Grease interceptors.

(1) *Definitions.*

(a) *Act* means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

(b) *Alternate treatments* means the use of enzyme, chemical, or other products designed to emulsify, or by any other means render grease soluble for the purpose of cleaning drain lines.

(c) *COD* means the value of the test for chemical oxygen demand, as described in the latest edition of "Standard Methods of the Examination of Water and Wastewater."

(d) *pH* means the measure of the relative acidity or alkalinity of water and is defined as the negative logarithm (base 10) of the hydrogen ion concentration.

(e) *EPA* means the United States Environmental Protection Agency.

(f) *Food establishment* means any facility generating fats, oils, or greases as a result of food manufacturing, processing, preparation, of food. These facilities include but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels and motels, prisons, nursing homes, and any other facility preparing, serving, or otherwise making any food stuff available for consumption.

(g) *Generator* means any person who owns or operates a grease trap/grease interceptor, or whose act or process produces a grease trap waste.

[(h) *Reserved.*]

(i) *Grease trap* or *interceptor* means a device designed to use differences in specific gravities to separate and retain light density liquids, waterborne fats, oils, and greases prior to the wastewater entering the sanitary sewer collection system. 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 system.

(j) *Grease trap waste* means material collected in and from a grease trap/interceptor in the sanitary sewer service line of a food establishment, including the solids resulting from de-watering processes.

(k) *Indirect discharge* or *discharge* means the introduction of pollutants into the city sewer system from any non-domestic source.

(l) *Interference* means a discharge which alone or in conjunction with a discharge of discharges from other sources inhibits or disrupts the city sewer system, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of the city's TPDES permit.

(m) *City sewer system* means the City of Seguin's sanitary sewer treatment works. This definition includes any devices and systems used in storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes, and other conveyances that convey wastewater to the city's treatment plant.

(n) *TCEQ* means the Texas Commission on Environmental Quality, and its predecessor and successor agencies.

(o) *Transporter* means a person who is registered with and authorized by the TCEQ to transport sewage sludge, water treatment sludge, domestic septage, chemical toilet waste, grit trap waste, or grease trap waste in accordance with [Title] 30, Texas Administrative Code § 312.142.

(p) *Hauler* means a person who transports grease or sludge off-site for treatment and/or disposal.

(q) *User* means any person, including those located outside the jurisdictional limits of the city, which contributes, causes or permits the contribution or discharge of wastewater into the city sewer system including persons who contribute such wastewater from mobile sources.

(2) *Applicability and prohibitions.*

(a) This section shall apply to all nonresidential users of the city sewer system, whether inside the corporate limits of the city or within those unincorporated areas located outside the corporate city limits but within the city's wastewater system.

(b) Grease traps or grease interceptors shall not be required for residential users.

(c) Food establishments shall install, use, and maintain appropriate grease traps or interceptors.

(d) No user may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, nonbiodegradable cutting oil, mineral oil, or any fats, oils, or greases of animal or vegetable origin into the city sewer system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the treatment works into the environment.

(3) *Installation and maintenance requirements standards for grease interceptors.*

(a) All new food establishments which are newly proposed or constructed, shall be required to install an approved grease interceptor leading from sinks, drains, appliances and other fixtures or equipment used in food preparation or cleanup where, in the opinion of the wastewater treatment

plant superintendent, grease may be introduced into the sewer system. Grease traps/interceptors shall be installed and inspected prior to issuance of a certificate of occupancy.

(b) All existing food establishments where, at the time of adoption of this section and in the opinion of the wastewater treatment plant superintendent, grease may be introduced into the sewer system, shall have an approved grease interceptor installed within one year.

(c) Existing food establishments that are limited by space or other factors and cannot install an external grease interceptor, will be required to install and maintain an approved internal grease trap/interceptor.

(d) Where grease interceptors are required they shall be maintained continuously in satisfactory and effective operation by and at the expense of the owner or user, subject to periodic inspection as set forth in this section.

(e) Food establishments that have existing grease traps/interceptors must be operated and maintained in accordance with the manufacturer's recommendations and in accordance with this section, unless specified in writing and approved by the wastewater treatment plant superintendent.

(f) All grease trap/interceptor waste shall be properly disposed of at a facility in accordance with federal, state, and local regulations.

(4) *Sizing.*

(a) Grease interceptors shall be sized according to the following codes:

- Adopted Plumbing Code

(5) *Designs.*

(a) All new or upgraded grease interceptor designs, both aboveground and in-ground, must incorporate a clean-out inspection port on the influent drain line immediately prior to the grease trap and on the effluent drain line immediately after the grease trap, and a sampling port on the effluent drain line within one foot of the property line or other location as accepted by the authority having jurisdiction. The inspection or sampling port on the effluent drain line shall be located downstream and beyond all branch connections to the main yard line. If the user has more than one-yard line connected to the city's sanitary sewer, a sampling port or manhole must be constructed on each yard line. A manhole lid cover is required over the influent and effluent side of the grease trap.

(b) All designs must be approved by the wastewater treatment plant superintendent prior to installation in accordance with the following procedures:

1. Prior to the installation of an interceptor, the installer shall provide an accurate drawing of the interceptor, giving dimensions, and a drawing showing the location of the interceptor on the property in relation to the building being served, the property lines, the location and sizes of all plumbing lines, taps, clean-out and inspection port.
2. Calculations shall be provided that determine the proper size interceptor to be used.
3. All aboveground (under-sink) interceptors shall be constructed of suitable material (i.e. fiberglass or stainless steel). It is generally recognized that above ground interceptors will require considerable more maintenance than in ground types.

(6) *Inspections.* All food establishments shall allow the city ready access at all reasonable times to all parts of the grease interceptor for the purpose of sampling and inspections. At the time of inspection, city staff will require that all interceptors be opened for visual inspection and that

maintenance records be available for review. It is important that each interceptor be so installed that it is readily accessible for removal of cover, servicing and maintenance.

(7) *Discharge, disposal, and monitoring.* Each grease trap pumped shall be fully evacuated unless the trap volume is greater than the tank capacity on the vacuum truck, in which case the transporter shall arrange for additional transportation capacity so that the trap is fully evacuated within a 24-hour period, in accordance with 30 Texas Administrative Code § 312.143.

(8) *Self-cleaning.*

(a) Removal of grease in an exterior grease trap consists of scooping or pumping out accumulated grease at the surface, and settled material at the bottom. Removal of grease from a self cleaning internal grease separator consist of dumping grease from the self cleaning container into an approve grease receptacle to be hauled away. None of the removed matter can be disposed of in the sewer or storm sewer. Collected grease can be put in a grease recycle receptacle and hauled away by vendor.

(b) In order to facilitate cleaning, clear access is essential. All indoor interceptors shall not be cleaned during operating hours. In the case of 24-hour operations, indoor interceptors shall be cleaned at a time that is least busy.

(c) All undersink grease traps shall be self cleaning and grease container shall be dumped according to paragraph (9) Cleaning Schedules.

9) *Cleaning schedules.*

(a) Indoor Interceptor Cleaning Schedule: Cleaning requirements for the under sink grease trap interceptors will be on a case by case basis. In general cleaning will be required monthly or as deemed necessary by the Wastewater Treatment Superintendent and his or her authorized representative. Log sheets supplied by the City of Seguin showing information such as dates and times the grease is removed from the grease trap and disposed of along with a signature of the responsible person shall be required. The log sheet must be kept up to date, completed, and faxed to the City of Seguin once a month at 830-401-2324 or mailed to 205 North River City of Seguin, TX. 78155 Attn: Wastewater Treatment Department on the fax or envelope..

(b) Exterior Grease traps and grease interceptors subject to these standards shall be completely evacuated a minimum of every 120 days, or more frequently when deemed necessary by the Wastewater Treatment Superintendent.

(c) Any person who owns or operates a grease trap/interceptor may submit to the wastewater treatment plant superintendent a request in writing for an exception to the 120-day pumping frequency of their grease trap/interceptor. The wastewater treatment plant superintendent may grant an extension for required cleaning frequency on a case-by-case basis when:

1. The grease trap/interceptor owner/operator has demonstrated the specific trap/interceptor will produce an effluent, based on defensible analytical results, in consistent compliance with established local discharge limits such as COD or other parameters as determined by the city; or
2. Less than 25 percent of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the devise to the invert of the outlet pipe, contains floating materials, sediment, oils or greases.

(d) Notwithstanding the foregoing, a grease trap and grease interceptor shall be fully evacuated, cleaned and inspected at least once every 180 days.

(10) *Grease interceptor and wastewater management techniques.*

(a) Grease traps shall be maintained in efficient operating condition by periodic removal of the accumulated grease. No collected grease shall be introduced into any drainage piping, or public or private sewer.

(b) Grease trap maintenance. Each grease trap be subject to random inspection by a representative from the city. If in the representative's opinion, the trap requires more frequent cleanings, the food establishment shall comply with this request.

The following documentation is required at the time of city inspection.

1. The name, address and phone number of the hauler/renderer.
2. The location of the designated disposal site.
3. Receipts indicating the date the interceptor was serviced.
4. A complete description of the work performed.

(c) All servicing, cleaning, pumping out and transporting shall be in accordance with Title 31, Ch. 312, Texas Administrative Code, and conducted in a manner which will prevent leakage, spillage, or creation of a sanitary nuisance or health hazard. Records shall be kept available for inspection by the city.

(11) *Manifest requirements.*

(a) Persons and/or facilities that generate, collect and transport grease waste shall maintain a record of each individual collection and deposit. Such records shall be in the form of a manifest. The manifest shall include:

1. Name, address, telephone, and commission registration number of transporter;
2. Name, signature, address, and phone number of the person who generated the waste and the date collected;
3. Type and amount(s) of waste collected or transported;
4. Name and signature(s) of responsible person(s) collecting, transporting, and depositing the waste;
5. Date and place where the waste was deposited;
6. Identification (permit or site registration number, location, and operator) of the facility where the waste was deposited;
7. Name and signature of facility on-site representative acknowledging receipt of the waste and the amount of waste received;
8. The volume of the grease waste received; and
9. A consecutive numerical tracking number to assist transporters, waste generators, and regulating authorities in tracking the volume of grease transported.

(b) A copy of all manifests shall be kept on sight available for city inspection.

1. All parts of the manifest shall have all required information completely filled out and signed by the appropriate party.
2. One copy shall go to the transporter, who shall retain a copy of all manifests showing the collection and disposal of waste.
3. One copy of the manifest shall be returned by the transporter to the person who generated the wastes within 15 days after the waste is received at the disposal or processing facility.

(c) Copies of manifests returned to the waste generator shall be retained for five years and be readily available for review by the city.

(d) The customer/owner will be responsible for sending another copy of the grease waste hauling manifest to the Wastewater Treatment Department even when the vat or drum is shared by multiple customers/owners. Each customer/owner will have to supply an individual copy of the manifest to verify the grease removal is properly being disposed of each month. A copy of

the manifest must be faxed to 830-401-2324 or mailed to 205 North River City of Seguin, TX. 78155 each needs to have Attn: Wastewater Treatment Department on the fax or envelope.

(12) *Alternative treatment.*

(a) The use of enzyme, chemical, or other products designed to emulsify, or by any other means render grease soluble for the purpose of cleaning drain lines shall not be used to replace, or substitute for an approved grease interceptor.

(b) A person commits an offense if the person introduces, or causes, permits, or suffers the introduction of any surfactant, solvent, or emulsifier into a grease trap. Surfactants, solvents, and emulsifiers are materials which allow the grease to pass from the trap into the collection system, and include but are not limited to enzymes, soap, diesel, kerosene, terpene, and other solvents.

(c) It is an affirmative defense to an enforcement of subsection (3) that the use of surfactants or soaps is incidental to normal kitchen hygiene operations.

(d) Bioremediation media may be used with the wastewater treatment plant superintendent's approval if the person has proved to the satisfaction of the superintendent that laboratory testing which is appropriate for the type of grease trap to be used has verified that:

1. The media is a pure live bacterial product which is not inactivated by the use of domestic or commercial disinfectants and detergents, strong alkalis, acids, and/or water temperatures of 160 degrees F, (71 degrees C).
2. The use of the media does not reduce the buoyancy of the grease layer in the grease trap and does not increase the potential for oil and grease to be discharged to the sanitary sewer.
3. The use of the bioremediation media does not cause foaming in the sanitary sewer.
4. The COD discharged to the sanitary sewer after use of the media does not exceed the COD which would be discharged if the product were not being used and the grease trap was being properly maintained; in addition, pH levels must be between six and nine.

(e) All testing designed to satisfy the criteria set forth in this section shall be scientifically sound and statistically valid. All tests to determine oil and grease, COD, pH, and other pollutant levels shall use appropriate tests which have been approved by the Environmental Protection Agency and the Texas Commission on Environmental Quality and which are defined in Title 40, Code of Federal Regulations, Part 136 or Title 30, Texas Administrative Code § 319.11. Testing shall be open to inspection by the city, and shall meet the city's approval.

(13) *Enforcement.* Any person violating any of the provisions of this section shall be subject to a written warning for the first violation, a \$1,000.00 civil penalty for the second violation, a \$1,500.00 civil penalty for the third violation, and a \$2,000.00 civil penalty for the fourth violation within a two-year period. Further violations will result in successive \$500.00 increases in the civil penalty and may result in termination of sewer service and/or revocation of the food establishment's food service license.

Section 2: If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

Section 3: All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

Section 4: This Ordinance will take effect on the date of its final passage on second reading.

PASSED AND APPROVED on first reading this 18th day of January, 2011.

PASSED AND APPROVED on second reading this 1st day of February, 2011.

Betty Ann Matthies
Mayor

ATTEST:

Thalia Stautzenberger
City Secretary

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