



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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Subject: Fats, Oils, and Grease Control Program Noncompliance Fees - Resolution No. 2011-295

Dear Facility Owner or Manager:

The State Water Resources Control Board Waste Discharge Requirements (WDR) Orders No. 2006-0003-DWQ and WQ 2008-0002-EXEC require the South San Luis Obispo County Sanitation District (District) and its Member Agencies (MAs), which include the City of Arroyo Grande, City of Grover Beach, and Oceano Community Services District, to prepare and implement a Fats, Oils, and Grease (FOG) Control Program to reduce the amount of FOG discharged to the sanitary sewer system, because FOG was an identified problem in the District's and MAs' sanitary sewer system.

The District adopted the FOG Ordinance, No. 2008-01, which established the District's legal authority to inspect, permit, and monitor food service establishments (FSEs) and required these facilities to install and maintain grease control devices (GCDs), such as grease traps and interceptors, in order to comply with the WDR Orders. This ordinance can be found on the District website at sslocsd.org. (Click the Ordinances and Resolutions link under the main menu.) To verify FSE's compliance with the FOG Ordinance, FSEs are inspected and permitted. The District inspects FSEs prior to issuing a permit and semiannually after issuing a permit, in order to ensure these facilities remain in compliance.

Fats, Oils, and Grease Control Program Noncompliance Fees

FOG Ordinance Section 6.5 enables the District and the MAs to establish Noncompliance Fees:

...to compensate the District and its MAs for costs of additional inspections and follow-up, sampling, monitoring, laboratory analysis, treatment, disposal, and administrative processing incurred as a result of the continued noncompliance, and [the Noncompliance Fee] shall be in addition to and not in lieu of any penalties as may be assessed. Noncompliance Fees shall be in an amount adopted by resolution by the District or its MAs.

At the December 21, 2011 Board of Directors Meeting, the Board adopted Resolution 2011-295, which established a **\$125.00** Notice of Violation Fee in accordance with FOG Ordinance Article 6. Enforcement of the District's FOG Ordinance will now comprise of the following:

If a FSE receives a violation during their semiannual FOG inspection, the FSE will receive a written Notice of Noncompliance and be re-inspected in thirty (30) days. No fee is charged with the Notice of Noncompliance. If the FSE passes their FOG re-inspection at the end of the thirty (30) day period, they will not be charged a Violation Fee. If the FSE does not pass this FOG re-inspection, they will be charged a **\$125.00** Notice of Violation Fee, receive a written Notice of Violation, and be re-inspected in fourteen (14) days.

The FOG Ordinance also provides the District with the legal authority to suspend and/or revoke FOG permits from chronic violators and dischargers who present imminent or substantial endangerment to the public's health or welfare. Failure to comply with permit suspension or revocation may result in the immediate severance of the FSE's sewer connection.

Fats, Oils, and Grease Control Program Requirements

There are three FOG Permit classifications in the District's FOG Control Program: variance, grease trap, and interceptor. The FOG inspections are conducted in accordance with the type of permit a FSE has. Please reference your FOG Permit if you are unsure of which type you have.

Variance

For some cases, an establishment is issued a variance, because there is no significant FOG discharge. If you have a variance, your FOG Permit will have "Variance" printed across the top. Facilities with a variance are inspected annually.

During an inspection, the inspectors check for a change to the menu or facility, which may require the FSE to install a grease control device (GCD). For example, if a coffee shop begins serving breakfast, they may be required to install a GCD. If a GCD is required, the Inspectors will coordinate with the FSE Owner or Manager to establish a GCD installation schedule.

If a FSE is unable to comply with the agreed upon GCD installation schedule, a Notice of Noncompliance will be issued to the FSE, and the FSE will have thirty (30) days to complete the installation. If the GCD is installed when the FSE is re-inspected at the end of that thirty (30) day period, the FSE will not be charged a Notice of Violation Fee. If the GCD is not installed, the FSE will be charged a **\$125.00** Notice of Violation Fee, receive a written Notice of Violation, and be re-inspected in fourteen (14) days.

Further enforcement measures may be taken in accordance with the District's FOG Ordinance if the FSE remains noncompliant at the end of the fourteen (14) day period.

Grease Trap

FSEs with a grease trap, which is a hydromechanical GCD and is typically located inside a FSE's kitchen, are inspected semiannually. Your permit specifies how often your grease trap must be cleaned under the heading "Requirements, Section B".

During an inspection, it will be necessary for one of your staff members to open the grease trap for inspection, and the Inspectors will check for the following:

- The solids and grease build-up must be less than twenty-five percent (25%) of the grease trap's designed hydraulic depth;
- The cover, baffles, inlet, and outlet tee must be in good working order;
- Detergent is not being used in excess to decrease FOG;
- Chemicals, enzymes, or bacteria are not being used;
- The dishwasher does not discharge to the grease trap;
- The grease trap is easily accessible;
- The area around the grease trap is clean;
- The grease trap maintenance records are current, complete, maintained on-site, available for review, and demonstrate that the FSE is complying with the cleaning requirement specified in its FOG Permit; and
- If the FSE uses deep fryers, grease barrels are labeled, have closed, tight-fitting lids, and are on an impervious, solid surface. The area around the grease barrels must be clean and free of grease.

If the FSE staff is unable to open the grease trap for inspection or any of the aforementioned requirements are not met during the inspection, the FSE will receive a written Notice of Noncompliance and be re-inspected in thirty (30) days. If the FSE passes their FOG re-inspection at the end of the thirty (30) day period, they will not be charged a Violation Fee. If the FSE does not pass this FOG re-inspection, they will be charged a **\$125.00** Notice of Violation Fee, receive a written Notice of Violation, and be re-inspected in fourteen (14) days.

Further enforcement measures may be taken in accordance with the District's FOG Ordinance if the FSE remain noncompliant at the end of the fourteen (14) day period.

Interceptor

FSEs with an interceptor, which is the largest GCD and is typically installed underground and outdoors, are inspected semiannually. Your permit specifies how often your interceptor must be pumped under the heading "Requirements, Section B".

During an inspection, the Inspectors will check for the following:

- The solids and grease build-up must be less than twenty-five percent (25%) of the interceptor's designed hydraulic depth;
- Downstream sewer lines are clear of solidifying grease and solids;
- Effluent is clear of grease or solids pass through;
- The baffles, inlet, and outlet tee are in good working order;
- Detergent is not being used in excess to decrease FOG;
- Chemicals, enzymes, or bacteria is not being used;
- The interceptor maintenance records are current, complete, maintained on-site, available for review, and demonstrate that the FSE is complying with the cleaning requirement specified in its FOG Permit; and
- If the FSE uses deep fryers, grease barrels are labeled, have closed, tight-fitting lids, and are on an impervious, solid surface. The area around the grease barrels must be clean and free of grease.

If any of the aforementioned requirements are not met during the inspection, the FSE will receive a written Notice of Noncompliance and be re-inspected in thirty (30) days. If the FSE passes their FOG re-inspection at the end of the thirty (30) day period, they will not be charged a Violation Fee. If the FSE does not pass this FOG re-inspection, they will be charged a **\$125.00** Notice of Violation Fee, receive a written Notice of Violation, and be re-inspected in fourteen (14) days.

Further enforcement measures may be taken in accordance with the District's FOG Ordinance if the FSE remains noncompliant at the end of the fourteen (14) day period.

A copy of the FOG Ordinance and Resolution No. 2011-295 is available on the District's website at www.sslocsd.org. Please refer to the section on Source Control and then to the FOG Control Program page.

Please contact the District at (805) 489-6666 with any questions.