

## ORDINANCE 2021-13

### AN ORDINANCE TO ENACT ARTICLE 929.06 OF THE CITY OF MARTINSBURG CODE "GREASE TRAP REQUIREMENTS AND INSPECTIONS."

The City Council of Martinsburg hereby enacts Article 929.06 "Grease Trap Requirements and Inspections," inclusive of title, as follows:

#### 929.06 GREASE TRAP REQUIREMENTS AND INSPECTIONS

- (a) The purpose of this section is to control discharges into the public sewerage collection system and wastewater treatment plant that interfere with the operations of the system, cause blockage and plugging of pipelines, interfere with normal operation of pumps and their controls, and contribute waste of a strength or form that either causes treatment difficulties or is beyond the treatment capability of the wastewater treatment plant.
- (b) *Control Plan for Fats, Oils and Grease (FOG) and Food Waste:*
  - (1) Any new construction, renovation, or expansion of Food Service Establishment (FSE) shall be required to submit to the City a FOG (fat, oil and grease) and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system.
  - (2) Any existing FSE shall also be required to submit a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system. Existing facilities shall not be exempt from the requirements of this ordinance. There will be no "Grandfathering."
- (c) *General Criteria:*
  - (1) *Installation Requirements:* All existing, proposed, or newly remodeled FSE inside the City of Martinsburg wastewater service area shall be required to install, at the user's expense an approved, properly operated and maintained grease trap and/or inceptor as required by the International Plumbing Code.
  - (2) *Sanitary sewer flows:* Sanitary sewer flows from toilets, urinals, lavatories, etc. shall not be discharged into the grease trap. These flows shall be conveyed separately to the sanitary sewer service lateral.
  - (3) *Floor Drains:* Only floor drains which discharge or have the potential to discharge grease shall be connected to a grease trap.
  - (4) *Garbage grinders/disposers:* It is recommended that solid food waste products be disposed of through normal solid waste/garbage disposal

means. If a grinder/disposal is used it must be connected to the grease trap. Where grinders/disposals connect to a grease trap, a solids interceptor shall separate the solids from the discharge before connecting to the grease trap. The solids interceptor shall be sized and rated for the discharge of food waste grinder. Emulsifiers, chemicals, enzymes, and bacteria shall not discharge into the food waste grinder. The use of grinders is discouraged since it decreases the operational capacity of the grease trap and will require an increased pumping frequency to ensure continuous and effective operation.

- (5) *Dishwashers:* Commercial dishwashers must be connected to the grease trap. Dishwashers discharge soap and hot water which can melt grease and allow it to pass through an undersized grease trap. Traps must be sized accordingly to allow enough detention time to allow water to cool and grease to solidify and float to the top of the trap.
- (6) *Location:* Grease trap shall be installed outside the building upstream from the sanitary sewer service lateral connection. This will allow easy access for inspection, cleaning, and removal of the intercepted grease at any time. A grease trap may not be installed inside any part of a building without written approval by the City of Martinsburg. The location of the grease trap shall be within 30 feet of the fixture served. When physical limitations disallow a grease trap/interceptor installation within 30 feet, requests for approval will be reviewed on an individual basis.
- (7) *Pass Through Limits:* No User shall allow wastewater discharge concentration from grease trap to exceed 100 MgPL (milligrams per liter) as identified by EPA method 413.

(d) *Design Criteria:*

- (1) *Construction:* Grease traps shall be constructed in accordance with the City of Martinsburg's standards and shall have a minimum of two compartments with fittings designed for grease retention. All grease removal devices or technologies shall be subject to an approved permit by the City of Martinsburg. Such approval shall be based on demonstrated removal efficiencies of the proposed technology.
- (2) *Access:* Access to grease traps shall be available at all times, to allow for their maintenance and inspection. Access to trap shall be provided by two manholes (one on each compartment) terminating at finished grade with cast iron frame and cover. Grease traps with manhole covers shall be designed to withstand expected loads and prevent access by children. The manhole covers shall be secured by a bolt or locking mechanism and be constructed of round cast iron or similar construction with sufficient weight to prevent unauthorized access. The manhole cover shall be closed and secured or locked, if applicable, at all times.

- (3) *Access Covers:* Access covers must be provided over both the influent structure and the effluent structure. Access covers shall be at least 18" in diameter. If inlet and outlet access opening are less than 18", a larger center access opening must be available, and accessible at the surface, to allow for grease management, servicing, and cleaning. Sealed risers with tamper-resistant lids must be provided to the surface over all required access points.
  - (4) *Load-Bearing Capacity:* In areas where additional weight loads may exist, the grease trap shall be designed to have adequate load-bearing capacity. (Example: vehicular traffic in driving or parking areas).
  - (5) *Inlet and Outlet Piping:* Wastewater discharging to a grease trap shall enter only through the inlet pipe of the trap. Each grease trap shall have only one inlet and one outlet pipe.
  - (6) *Grease Trap Sizing:* The required size of the grease trap shall be calculated using EPA-2 model. All grease traps shall have a capacity of not less than 1,000 gal. nor exceed a capacity of 3,000 gal. If the calculated capacity exceeds 3,000 gal., multiple units plumbed in series shall be installed.
  - (7) *Modified Septic Tanks:* Modified septic tanks are commonly used for external grease traps; however, the influent structure (inlet baffle) must be at least four feet from the effluent structure, and the tank must have at least 30" of liquid depths. The effluent baffle or tee must be submerged by at least 75 percent, but no more than 85 percent of the liquid depth. Metal septic tanks are not allowed for use as a grease trap.
  - (8) *Internal Grease Trap:* In the event an internal grease trap is approved for use, the largest capacity grease trap which can be properly installed to allow for maintenance and cleaning shall be used. Internal grease traps **shall not** be approved for new construction.
- (e) *Grease Trap Maintenance:*
- (1) *Cleaning/Pumping:* The user at the user's expense shall maintain all grease traps to assure proper operation and efficiency and maintain compliance with the Martinsburg Pass Through Limits. Maintenance of grease trap shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids. This work shall be performed by a qualified and licensed hauler. Decanting or discharging of removed waste back into the trap from which it was removed or any other grease trap, for the purpose of reducing the volume to be disposed, is prohibited. This service shall also include a thorough inspection of the trap and its components. Any needed repairs shall be noted. Repairs shall be made at user's expense.

- (2) *Cleaning/Pumping frequency:* The grease trap must be pumped out completely a minimum of once every four months, or more frequently, as determined by the City of Martinsburg, as needed to prevent carry over of grease into the sanitary sewer system.
- (3) *Disposal:* All waste removed from each grease trap must be disposed of at a facility approved to receive such waste in accordance with the provisions of this program. In no way shall the pumpage be returned to any private or public portion of the City's sanitary sewer collection system. All pumpage from grease traps must be tracked by a manifest, which confirms pumping, hauling, and disposal of waste. The customer must obtain and retain a copy of the original manifest from the hauler for no less than 24 months from the disposal date.
- (4) *Maintenance Log:* A grease trap cleaning/maintenance log indicating each pumping for the previous 24 months shall be maintained by each facility required to have an installed grease trap. This log shall include the date, time, amount pumped, hauler, and disposal site and shall be kept in a conspicuous location for inspection. Said log shall be made available to the City of Martinsburg upon request.
- (5) *Submittal of Records:* Each user shall submit all cleaning and maintenance records to the City of Martinsburg upon request. The maintenance records shall include the following information:
  - i. Facility name, address, contact person, and phone number;
  - ii. Company name, address, phone number, and contact name of person responsible for performing the maintenance, cleaning, pumping, or repair of grease trap;
  - iii. Types of maintenance performed;
  - iv. Dates maintenance was performed;
  - v. Date of next scheduled maintenance;
  - vi. Copies of manifests.
- (6) The City of Martinsburg will perform periodic inspections of these facilities and shall notify the user of any additional required maintenance or repairs. Upon written notification by the City of Martinsburg, the user shall be required to perform the maintenance and records of said maintenance within 14 calendar days. Upon inspection by the City of Martinsburg the user may be required to install, at its expense, additional controls to provide a complete system which prevents discharges of undesirable materials into the wastewater collection system. The City Manager or his designee is authorized to establish a routine inspection

program and necessary forms and policies to carry out the intent of his Ordinance. In addition to routine inspections, a FSE may be inspected in response to any of the following criteria:

- i. To verify corrective action has been taken to achieve compliance to any violation found during a routine inspection;
  - ii. The City has received a complaint or a tip that the FSE is in noncompliance of the Ordinance or the FOG Control Program;
  - iii. The FSE is suspected of causing a sanitary sewer blockage or sanitary sewer overflow; or
  - iv. Other situations that the City deems necessary.
- (f) *Additives:* Any biological additive(s) placed into the grease trap or building discharge line including but not limited to, enzymes, commercially available bacteria, or other additives designed to absorb, purge, consume, treat, or otherwise eliminate fats, oils, and grease shall require written approval by the City of Martinsburg prior to use. The use of such additives shall in no way be considered as a substitution to the maintenance procedures required herein.
- (g) *Chemical Treatment:* Chemical treatments such as drain cleaners, acid, or other chemical solvents designed to dissolve or remove grease shall not be allowed to enter the grease trap.
- (h) *Sand, Soil, and Oil Interceptors:* All car washes, truck washes, garages, service stations, car and truck maintenance facilities, fabricators, utility equipment shops, and other facilities (as determined by the City of Martinsburg) that have sources of sand, soil, and oil shall install effective sand, soil and oil traps, interceptors, and/or oil/water separators. These systems shall be sized to effectively remove sand, soil, and oil at the expected flow rates. These systems shall be, at the user's expense, cleaned or pumped on a regular basis to prevent impact upon the wastewater collection and treatment systems. Users whose systems are deemed to be ineffective by the City of Martinsburg shall be required to change the cleaning frequency or to increase the size of the system. Owners or operators of washing facilities are required to prevent the inflow of detergents and rainwater into the wastewater collection system. Oil/water separator installations shall be required at facilities that accumulate petroleum oils and greases and at facilities deemed necessary by the City of Martinsburg.
- (i) *Laundries:* Commercial laundries shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage (into the wastewater collection system) of solids ½" or larger in size such as rags, strings, buttons, or other solids detrimental to the system.

- (j) ***Control Equipment:*** The equipment or facilities installed to control FOG, food waste, sand, soil, oil, and lint must be designed in accordance with the International Plumbing Code, the West Virginia Department of Environmental Protection and Conservation guidelines, most current engineering standards, or other applicable guidelines approved by the City of Martinsburg. Underground equipment shall be tightly sealed to prevent inflow of rainwater and shall be easily accessible to allow regular maintenance and inspection. Control equipment shall be maintained by the owner and/or operator of the facility as to prevent a stoppage of the wastewater collection system, and the accumulation of FOG, food waste, sand, soil, and lint in the collection lines, pump stations, and wastewater treatment plant. If the City of Martinsburg is required to clean out the wastewater collection lines, as a result of a stoppage resulting from poorly maintained control equipment (or lack thereof) the owner or operator shall be required to refund the labor, equipment, materials, and any overhead costs to the City including any fines incurred due to any sanitary sewer overflow due directly to the stoppage. The City retains the right to inspect and approve any and all installations of control equipment.
- (k) ***Alteration of Control Methods:*** The City of Martinsburg reserves the right to request additional control measures if existing control equipment is shown to be insufficient to protect the wastewater collection system and wastewater treatment plant from interference due to the discharge of FOG, sand, soil, lint, or any other undesirable materials.
- (l) ***Enforcement and Penalties:*** Any person or entity that violates this ordinance, in part or whole, shall be guilty of a civil violation punishable under and according to the general penalty provision of the City of Martinsburg's Codified Ordinances. Each day's violation of this ordinance shall be considered a separate offense.

When the City finds that any permittee has violated, or continues to violate, any provision of the Ordinance, a wastewater discharge permit or order issued, or any other pretreatment standard or requirement, the City may serve upon that FSE a written Notice of Violation. A Notice of Violation may require that corrective action be completed by a given date as well as consideration of discontinuance of water and sewer service to the property. Primary reasons for the issuance of a FOG Control NOV are, but not limited to the following:

- (1) Failure to complete and return the City's request for a FOG Control Wastewater Discharge Information form or Wastewater Discharge Permit Application by the given due date;
- (2) Failure to install or repair a grease trap by assigned date;
- (3) Failure to properly operate and maintain a grease trap in accordance with the Ordinance or an issued Wastewater Discharge Permit;

- (4) Failure to provide an approved collection drum or container for waste cooking oil by assigned date;
  - (5) Failure to maintain waste oil storage container and surrounding areas in a clean and sanitary manner to prevent harm to environment from runoff;
  - (6) Failure to maintain grease trap maintenance records on site;
  - (7) Failure to provide FOG Compliance Report along with grease trap maintenance records to the Superintendent within a specified time;
  - (8) Failure to pay appropriate fees or fines; or
  - (9) Failure to allow the Superintendent access to the facility or grease trap to observe conditions, obtain information, or perform sampling related to discharges to the City's sanitary sewer system on a given date.
- (m) *Savings Clause:* The provisions of this Ordinance are hereby declared to be severable, and if any clause, sentence, word, section or provision is declared void or unenforceable for any reasons by any court of competent jurisdiction, such declaration shall not affect any portion of the Ordinance other than said part or portion thereof.
- (n) *Repeal:* All ordinances in conflict with this Ordinance are hereby repealed.
- (o) *Effective Date:* This Ordinance shall become effective upon passage.

INTRODUCED: October 14, 2021

  
Kevin Knowles, Mayor

ADOPTED: November 4, 2021

Attest:  
 Gena Long, City  
Recorder