

# ***Town of Weymouth Massachusetts***

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## **Regulation #28** **Fats, Oil, & Grease (FOG) Pretreatment Systems**

### **I. AUTHORITY**

The Weymouth Board of Health (BOH) acting under the authority of Chapter 111, Section 31 of the Massachusetts General Laws and any amendments and additions thereto, and by any other power thereto enabling, has adopted the following rules and Regulations during its February 8, 2006 meeting.

All references to 248 CMR shall mean the Code of Massachusetts Regulation for the Massachusetts State Plumbing Code.

### **II. PURPOSE**

The purpose of this Regulation is to protect residents, businesses and the environment within the Town of Weymouth from blockages of the Town's Sanitary Sewer caused by Fats, Oils, and Grease (FOG) discharged from food service establishments located in town. All new and existing facilities that generate and discharge FOG in the wastewater flow shall install, operate, and maintain a FOG pretreatment system, as further defined herein. The requirements of this Regulation shall supplement and be in addition to the requirements of the Town of Weymouth's Sewer Use Rules and Regulations.

### **III. DEFINITIONS**

**Agent** - means any duly authorized agent of the Weymouth Health Department as specified under MGL c. 111 sec. 30

**Director** - means the mayoral appointed Director of the Weymouth Health Department

**Discharge Limit** - one hundred (100) milligrams of Fats, Oils, and Grease per liter of wastewater, or a concentration which will cause blockage to the municipal sewer system

**Food Establishment** - is defined as any establishment issued a Permit to operate a food establishment by the Weymouth Health Department under FC 1-201.10(B) (31) any facility that prepares or sells food and as a byproduct discharges Fat, Oil, or Grease into the Municipal Sewer System

**FOG** - Fats, Oils, and Grease

**FOG Pretreatment System** - refers to one of the following grease removal systems:

1. Indoor Passive Grease Traps
2. Indoor Automatic Grease Traps
3. Outdoor/Underground Grease Interceptors

**Grease Trap** - also referred to as a grease interceptor by the State Plumbing Code, is a device designed to remove undissolved and/or suspended waste grease and oil from wastewater

**Indoor Automatic Grease Trap** - an active automatic grease trap which separates and removes fats, oils, and grease from effluent discharge, and cleans itself of accumulated grease, fats and oils at least once every twenty-four (24) hours, utilizing electromechanical apparatus to accomplish removal

**Indoor Passive Grease Trap** - a passive grease trap installed inside a building and designed to remove fats, oils and grease from flowing wastewater while allowing wastewater to flow through it. Also, known as an indoor grease trap

**Outdoor/Underground Grease Interceptor** - a passive grease trap installed outside a building (having a capacity of 1500 Gallons or more) and designed to remove fats, oils and grease from flowing wastewater while allowing wastewater to flow through it. Also, known as an outside grease trap

**Permitted Offal/Septage Hauler** - means any offal/septage hauler which is issued a Permit to haul FOG and/or septage by the Weymouth Health Department

**Sewer Pipe** - means any building or town sanitary sewer piping including but not limited to interior and exterior building sanitary sewer piping , any main, or lateral sanitary sewer piping regardless whether it is located on private or municipal land

**Substantial Renovations** - means any renovation to a food service establishment that would increase the number of existing permitted seats or would alter in any way the kitchen facility

**Waste Grease or Oil** - means waste grease or oil generated by a food service establishment during the cooking process

**Weymouth Officials** - any representative from the Weymouth Health Department, Building Department or the Water and Sewer Division

#### **IV. GENERAL PROVISIONS**

- A. In every case where a food establishment is preparing or selling food, or other business in which FOG is a byproduct, a suitable FOG Pretreatment System that conforms to the Massachusetts State Plumbing Code 248 CMR 10.09(2), must be installed according to this Regulation.

- B.** The Health Department may at any time require the installation, upgrade and/or relocation of a FOG pretreatment system, as it may deem necessary to maintain any particular building sewer pipe, any lateral sewer pipe, or sewer main pipe free from obstructions caused by waste grease or oil emanating from a food establishment. Each establishment must pay all costs for installing and maintaining the systems.
- C.** New or substantially remodeled food establishments must install an Outdoor/Underground Grease Interceptor, with a minimum 1500 gallon capacity, or an Indoor Automatic Grease Trap. Both must be sized according to the manufacturer and in compliance with 248 CMR.   
\*\*Passive indoor grease traps will not be permitted.
- D.** Internal Automatic and Passive Grease Traps must be cleaned monthly (unless a variance is given by the Director), by a professional drain cleaner, licensed plumber, or permitted offal/septage hauler.
- E.** Outdoor/Underground Grease Interceptors must be pumped and inspected by a permitted offal/septage hauler every three months or more frequently as to prevent any grease blockage.
- F.** A copy of the Health Department Grease Trap Maintenance Log must be completed and kept onsite for any operation/maintenance to FOG pretreatment systems. The log must be readily accessible for Weymouth Officials to review.
- G.** All pumping and hauling records must be maintained on a monthly basis and be readily accessible to the Weymouth Officials.
- H.** Waste grease and oil shall not be disposed by the sanitary sewer. All waste grease and oil must be collected in an appropriate container provided by an approved vendor and stored in an approved location on the premise. The container must be stored on an impervious surface such as concrete, or pavement. Containers must be capable of being sealed or be stored in a sheltered area to prevent entry of precipitation and vermin. All waste grease and oil shall be removed by a permitted offal/septage hauler; said material should be removed from the premises as needed. While being stored, all grease containers and surrounding areas must be kept in sanitary conditions at all times.
- I.** All automatic electrical/mechanical grease removal units shall be sized in accordance with the manufacturer's written recommendations and be in compliance with 248 CMR.
- J.** A separate suitable sampling location as approved by the Director or his/her designee shall be provided for sampling the discharge from any Indoor passive or automatic system. The sampling valve must be installed on the discharge piping with a minimum clearance of eight (8) inches to allow samples to be taken by Agent and Weymouth officials.
- K.** Dishwasher wastewater must discharge into the grease trap per 248 CMR 10.09 (2)(c)(5).

- L. Food waste grinders must comply with the requirements of 248 CMR 10.09 (2)(f)(3).
- M. All connections to the grease removal unit shall be equipped with a Flow Control Device. Flow Control Devices must conform with 248 CMR 10.09(2)(i).

## V. ENFORCEMENT AND INSPECTION

- A. It shall be the responsibility of the Agents to review cleaning and maintenance records for all grease removal systems as part of regular foodservice inspections.
- B. All records pertaining to removal of grease, and waste products shall be retained by the owner or operator on premise for no less than two (2) years. Upon request by a Weymouth Official, an owner or operator shall furnish all records required to enforce and monitor compliance with this Regulation.
- C. Weymouth Officials may use oil-soluble dyes to identify (by color) the FOG of any given establishment in order to determine if said establishment is a cause of failure or obstruction in a sewer lateral or main.
- D. Agents may order the suspension of a permit to operate a food establishment or the termination of one or more particular operations for:
  - 1. Serious or repeated violations of this Regulation.
  - 2. Interference with a Weymouth Official in the performance of their duty
  - 3. For failure to maintain required records or keeping or submitting any misleading or false records or documents required by this RegulationThe effective date and length of a suspension will be determined by the Director.
- E. Two (2) or more suspensions at an individual food establishment may result in the revocation of the permit to operate.
- F. The Weymouth Sewer Department may inspect a facility if in its judgment feels that there has been an infraction of the discharge limits to the wastewater.

## VI. VIOLATION

Written notice of any violation of this Regulation shall be given to the owner and operator of the food establishment by an Agent, specifying the nature, time and date of the violation and any preventative measure required to avoid future violations, and a correction time frame.

## VII. VARIANCES

The Director may issue variances from the requirements of this Regulation for:

- 1. Operation and maintenance (O&M) frequencies (applications for variances for O&M must be accompanied by a written letter from the food establishments O&M contractor)
- 2. The type of FOG pretreatment system required
- 3. Timelines for connection

Any requests for a variance must be applied for by completing the Health Department Variance Application Form and returning it to the Health Department. The reasons for the request must be clear and specific. Financial hardship will not be grounds for a variance.

Any request for a variance for a food establishment to use an alternative method, system or product that does not comply with 248 CMR 3.00 through 10.00 must apply for the variance in writing to the State Board for Plumbers and Gas Fitters per 248 CMR 3.04(2).

## **VIII. HEARING**

The person or persons, to whom any order or notice is issued pursuant to this Regulation, may request a hearing before the Director. Such request shall be in writing and shall be filed in the office of the Health Department within seven (7) days after receipt.

## **IX. PENALTY**

Any person that violates any provision of this Regulation may be punished, under Chapter 111 Section 31 of the Massachusetts General Laws as a criminal offense or Chapter 40 section 21D of the Massachusetts General Laws as a noncriminal offense, by fines of:

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|-------------------|---------|
| 1. First offense  | Warning |
| 2. Second offense | \$ 100  |
| 3. Third offense  | \$ 250  |
| 4. Fourth offense | \$1000  |

or by criminal complaint at the appropriate venue. Each day or portion thereof during which a violation continues shall constitute a separate offense. Failure to correct violations of any provision of this Regulation may result in the suspension or revocation of a Permit to Operate a Food Establishment as provided in 105 CMR 590.12 or 105 CMR 590.014. Any person violating the provisions of this chapter shall be liable to the Town of Weymouth for any loss, expense or damage, **including consequential damage**, caused by such violation. The Town of Weymouth may enforce the provisions of this Regulation by any and all civil and equitable procedures.

## **X. SEVERABILITY**

If any word, clause, phrase, sentence, paragraph, or section of this Regulation shall be declared invalid for any reason whatsoever, that portion shall be severed and all other provisions of the Regulation shall remain in full force and effect.

## **XI. TIMELINE FOR CONNECTION**

- A.** If a food establishment is found to be causing blockage to the Municipal Sewer System, the Health Department may order the installation of either an Indoor Automatic Grease Trap or an Underground Passive Interceptor.

- B.** Newly built food establishments or those undergoing substantial renovations must install the appropriate FOG pretreatment system according to this Regulation as part of the building project. Locations of grease traps and interceptors must comply with 248 CMR 10.09 (2)(a)(b)(c).
- C.** All other food establishments must install either an Indoor Automatic Grease Trap or an Outdoor/Underground Grease Interceptor within one (1) year of adoption of this Regulation unless a variance is granted by the Director.

\*This Regulation was adopted by a unanimous vote of the Board of Health during a regular meeting held on February 8, 2006. The vote was taken after a joint public hearing with the Town Council that began on January 17, 2006 and was continued to February 6, 2006. This Regulation shall become effective after required publication and posting with the Massachusetts Department of Environmental Protection.