

KING GEORGE COUNTY FATS, OILS, AND GREASE (FOG)

MODEL ORDINANCE FOR SEWERS AND SEWAGE DISPOSAL

Abstract

To aid in preventing the introduction and accumulation of fats, oils, and grease into the King George County Service Authority sanitary sewer system that may contribute to sanitary sewer blockages and obstructions.

SECTION 1. PURPOSE AND APPLICABILITY

- A. The purpose of this Ordinance is to aid in preventing the introduction and accumulation of fats, oils, and grease into the King George County Service Authority sanitary sewer system that may contribute to sanitary sewer blockages and obstructions. Food service establishments, grease haulers and other industrial or commercial establishments generating or collecting wastewater containing fats, oils, and grease are subject to this Ordinance. This Ordinance regulates such users by requiring that grease control devices and other approved strategies be installed, implemented, and maintained in accordance with the provisions of this Ordinance and other applicable requirements of the King George County Service Authority.
- B. The provisions of this Ordinance shall apply to all food service establishments within King George County and to all grease haulers providing service to any such food service establishment.

SECTION 2. DEFINITIONS

- **Automatic Grease Removal Device (AGRD)** shall mean an active, automatic device that separates and removes FOG from effluent discharge and cleans itself of accumulated FOG at least once every twenty-four hours utilizing electromechanical apparatus Unless otherwise approved, AGRDs shall not be installed.
- **Brown Grease** shall mean floatable fats, oils, grease and settled solids produced during food preparation that are recovered from grease control devices.
- **Commissary** shall mean a catering establishment, food service establishment, or any other place in which food, food containers, or supplies are kept, handled, prepared, packaged, or stored for distribution to satellite operations.
- **Core Sampler** shall mean a sampling tool, i.e., Sludge Judge, Dipstick Pro or equivalent, designed to take accurate readings of settleable solids, in a variety of liquids, to any depth.
- **Decanting** shall mean discharging removed wastewater back into the grease control device, for the purpose of reducing the volume to be hauled or for recharging the grease control device.
- **Enforcement Response Plan** shall mean a system that sets forth the process and procedures for enforcement of this section by the King George County Service Authority.
- **Fats, Oils, and Grease (FOG)** shall mean material, either liquid or solid, composed of fats, oils or grease from animal or vegetable sources. Examples of FOG include, but are not limited to, kitchen cooking grease, vegetable oil, bacon grease and organic polar compounds derived from animal and/or plant sources that contain multiple carbon triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in the United States Code of Federal Regulations at 40 CFR

Part 136, as may be amended from time to time. FOG may be referred to herein as “grease” or “greases.”

- **Food Service Establishment (FSE)** shall mean any commercial, industrial, institutional, or food processing facility discharging kitchen or food preparation wastewaters including, but not limited to, restaurants, commercial kitchens, caterers, motels, hotels, cafeterias, correctional facilities, prisons or jails, cafeterias, care institutions, hospitals, schools, bars, churches, commissaries, and mobile food units. Any establishment engaged in preparing, serving, or otherwise making food available for consumption by the public shall be included. Such establishments use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and other food preparation activities that produces a hot, non-drinkable food product in or on a receptacle that requires washing.
- **Grease Control Device (GCD)** shall mean a device used to collect, contain, or remove food waste and grease from the wastewater while allowing the remaining wastewater to be discharged to the King George County sanitary sewer system by gravity. Devices include hydromechanical grease interceptors, automatic grease removal devices, gravity grease interceptors, or other devices approved by the General Manager.
- **Gravity Grease Interceptor (GGI)** shall mean a plumbing appurtenance of not less than 250 gallons (946 L) capacity that is installed to intercept free-floating fats, oils, and grease from wastewater discharge. Separation is accomplished by gravity during a retention time of not less than 30 minutes. Unless otherwise approved, GGIs shall not be installed.
- **Grease Hauler** shall mean a contractor who collects the contents of a grease control device or yellow grease storage container and transports it to an approved recycling or disposal facility. A grease hauler may also provide other services related to grease control device maintenance for a food service establishment. A certified grease hauler has been certified through the FOG Program.
- **Technical Standards for Grease Control Devices** shall mean a set of regionally approved standards required to properly size and select grease control devices.
- **KGCSA FOG Program** shall mean the approved FOG education, training, and certification programs for food service establishment employees and grease haulers administered by the King George County Service Authority (KGCSA).
- **Hydromechanical Grease Interceptor (HGI)** shall mean a plumbing appurtenance that is installed in the sanitary sewer system to intercept free-floating fats, oils, and grease from wastewater discharge. Continuous separation is accomplished by air entrainment, buoyancy, interior baffling in combination or separately, and one of the following:

- (1) Units directly connected, with an external flow control, with an air intake (vent)
- (2) Units directly connected, with an external flow control, without an air intake (vent).
- (3) Units directly connected, without an external flow control, with or without internal flow control.
- (4) Units indirectly connected, without an external flow control, with or without internal flow control.
- **Mobile Food Unit** shall mean a food service establishment that is readily moveable from place to place at all times during operation and shall include but not limited to pushcarts, trailers, trucks, vans, or boats.
- **Renderable Yellow Grease Container** shall mean a closed, leak-proof container for the collection and storage of yellow grease only.
- **Sanitary Sewer System** shall mean a system of underground pipes that carries wastewater from bathrooms, sinks, kitchens, and other plumbing components to a wastewater treatment plant where it is filtered, treated, and discharged.
- **Stormwater System** shall mean a network of structures, channels and underground pipes designed to carry stormwater (rainwater) to ponds, lakes, streams, rivers, and other surface waters.
- **Yellow Grease** shall mean render able FOG used in food preparation that has not been in contact or contaminated with other sources such as water, wastewater, or solid waste. An example of yellow grease is fryer oil, which can be recycled into products such as animal feed, cosmetics, and alternative fuel.

SECTION 3. REGISTRATION REQUIREMENTS

All FSEs shall be required to register their establishment and GCDs with the King George County Service Authority. Registrations shall be on forms provided by the King George County Service Authority to ensure that the establishment understands its compliance responsibilities, that their GCDs are properly sized and maintained, as well as to facilitate inspection in accordance with the requirements established by the King George County Service Authority.

- A. Registration of FSEs with the King George County Service Authority is required before a business license is issued.
- B. Existing FSEs shall register all GCDs within ninety (90) days of the adoption of this ordinance. New establishments shall register when setting up their water and sewer service or prior to obtaining a certificate of occupancy and/or business license.
- C. All grease haulers, owners, and employees servicing GCDs for FSEs within King George County shall be required to obtain a certification from the King George County Service Authority FOG Program.

- D. All grease haulers shall obtain the required permits, certifications, and/or approvals from the facility in which waste will be disposed and provide copies to the King George County Service Authority.
- E. FSEs shall have a current employee who has successfully been certified through the King George County Service Authority FOG Program on site at all times.

SECTION 4. DISCHARGE LIMITS

No person shall discharge or cause to be discharged from any FSE any wastewater with FOG in concentrations or quantities that will damage the sewers or sanitary sewer system, as determined by Section 301 D of the King George County Service Authority Industrial Wastewater Discharge Regulations.

SECTION 5. GREASE CONTROL DEVICES

A. Requirements.

- a. All FSEs shall have a GCD(s) meeting all applicable requirements for testing and certification of ASME A112.14.3, ASME A112.14.4, CSA B481, or PDIG101. The GCD(s) shall be sized and selected in accordance with the King George County Service Authority Regional Technical Standards for Grease Control Devices.
 - i. New Establishments – Except as provided in subsection (a) (2), FSEs shall be required to install, operate, and maintain a GCD in compliance with the requirements contained in this Section. GCDs shall be installed and registered prior to the issuance of a certificate of occupancy and/or business license.
 - ii. Existing Establishments – Existing FSEs in operation as of the effective date of this Ordinance shall be allowed to operate and maintain their existing GCD(s), provided such GCD(s) are in proper operating condition and not found to be contributing FOG in quantities sufficient to cause line stoppages or to necessitate increased maintenance of the sanitary sewer system. If the FSE is determined to be contributing FOG by the sanitary sewer system owner and/or KGCSA, the FSE shall comply with the requirements of this Section. Existing FSEs that are renovated, altered, or expanded shall install a GCD(s) meeting the requirements of this Section. GCDs shall be sized and selected in accordance with the County Service Authority Technical Standards for Grease Control Devices, permitted, registered, installed, and inspected as a condition of final approval of such renovation, alteration, or expansion. Retrofit - Any existing FSE may be required to install or upgrade a GCD if such FSE is contributing FOG to the sanitary sewer system, as determined by the sanitary system owner and/or KGCSA. Such devices shall be registered with the locality within 30 days of installation and shall comply with the requirements of this Section.

B. Installation of Grease Control Devices

- a. GCDs shall be installed by a plumber licensed in the Commonwealth of Virginia. Every GCD shall be installed and connected so that it is readily accessible for inspection, cleaning, and removal of the intercepted waste at any time. Installation shall be in compliance with the Virginia Plumbing Code and the manufacturer's instructions. GCD covers shall meet the following load rating requirements: Indoor, foot traffic only, minimum 300 pounds Indoor, pallet jack or forklift traffic, minimum 2000 pounds Outdoor, non-vehicular traffic, minimum 2000 pounds Outdoor, vehicular traffic, minimum AASHTO M306 H20/HS20 GCD's shall have their manhole covers secured at all times with bolts, or locking mechanisms, or shall be of sufficient weight to prevent unauthorized access, or shall have a safety apparatus secured in place under the cover to prevent accidental entry if the cover is not secured in place.

C. Maintenance of Grease Control Devices

- a. All GCDs shall be maintained at the FSE's and/or owner's expense. Maintenance shall include the complete removal of all contents, including floating material, wastewater and settled solids. Decanting or discharging of removed waste back into the GCD, private sewer line or into any portion of the King George County Service Authority sanitary sewer system is prohibited. GCDs shall be maintained by a certified grease hauler unless otherwise approved (Technical Standards for Grease Control Devices)
- b. Gravity Grease Interceptors shall be pumped out completely when the total accumulation of FOG, including floating solids and settled solids, reaches twenty-five percent (25%) of the overall liquid volume. At no time shall a GGI be cleaned less frequently than once every 90 days unless approved by the General Manager.
- c. Automatic Grease Removal Devices shall be (1) opened and inspected for food solids, FOG buildup, and functionality of all parts, at a minimum, once every two weeks by the FSE; (2) the food solids collection basket and the grease collection bucket shall be emptied of their contents, at a minimum, once per day by the FSE.
- d. The device shall be inspected and completely cleaned, at a minimum, every 90 days by a certified grease hauler, unless otherwise allowed by the General Manager. In no event shall the content of food solids and FOG exceed twenty-five percent (25%) of the overall liquid depth of the device.
- e. Hydromechanical Grease Interceptors shall be cleaned before their maximum capacity is reached as established by the manufacturer in accordance with third party validated test reports. The maintenance frequency shall be determined in accordance with the sizing and selection requirements for HGIs in the Technical Standards for Grease Control Devices. At no time shall an HGI be cleaned less frequently than once every 90 days, or as approved by the General Manager.
- f. The General Manager may establish a more frequent cleaning schedule if the FSE is found to be contributing FOG to the sanitary sewer system.

D. Use of Additives

- a. The use of additives (including, but not limited to, products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes, or bacteria) by FSEs is prohibited as grease management control. However, additives may be used to clean the FSE drain lines so long as the usage of such additives will not cause FOG to be discharged from the grease control device to the sanitary sewer system. The use of additives shall not be substituted for the maintenance procedures required by this Section.

E. Waste Disposal

- a. Waste removed from a grease control device shall be disposed of at a facility permitted to receive such waste. Waste material removed from GCD(s) shall not be discharged directly or indirectly into any portion of the sanitary sewer system, private sewer line, stormwater system, or returned to any GCD.
 - i. **FSEs:** FSEs approved for self-cleaning shall dispose of the waste in accordance with the requirements contained in the Technical Standards for Grease Control Devices. FSEs shall dispose of yellow grease in a render able yellow grease container, where contents will not be discharged to the environment. Yellow grease shall not be poured or discharged into the King George County Service Authority sanitary sewer system.

F. Inspection of Grease Control Devices

- a. The General Manager or his designee shall have the right of entry into any FSE, during reasonable hours, for the purpose of making inspections, observation, measurements, sampling, testing or records review of the sanitary sewer system and GCDs installed in such building or premises to ensure that the FSE is in compliance with this Section. The owner or occupant may accompany the General Manager or his designee. Operational changes, maintenance and repairs required by the General Manager, or his designee shall be implemented as noted in the written notice received by the FSEs.

G. Record Keeping

- a. FSEs shall retain and make available for inspection and copying records of all cleaning and maintenance for the previous three (3) years for all GCDs. FSEs utilizing a certified grease hauler shall provide cleaning and maintenance records meeting the requirements as outlined in Section 6. Where approved, FSEs performing GCD cleaning and waste disposal shall provide cleaning and maintenance records as required by the General Manager or his designee.
- b. Such records shall be kept on site and shall be made immediately available to any employee of the King George County Service Authority upon request.
- c. FSEs shall retain and make available for inspection and copying records of yellow grease disposal for the previous three (3) years. FSEs utilizing professional yellow grease rendering services shall provide service records meeting the requirements as outlined in Section 6. Such records shall be kept on site and shall be made immediately available to any employee of King George County Service Authority upon request.

SECTION 6. GREASE HAULER REQUIREMENTS

- A. Any person collecting, pumping, or hauling waste from GCDs or renderable yellow grease containers located within the boundaries of the King George County shall be certified by the FOG Program and hold all required waste hauling permits.
- B. The grease hauler shall notify the locality within twenty-four (24) hours of any incident required to be reported to the Virginia Department of Environmental Quality.
- C. Grease haulers shall retain and make available for inspection and copying, all records related to grease control device pumping and waste disposal from businesses located in the King George County wastewater service area. Records shall include, at a minimum, the dates of cleaning/maintenance, the name and business address of the company providing the service, the name of the technician(s) performing the service and their associated King George County Service Authority FOG Program certification number(s), the condition of the GCD, the volume of waste removed in the cleaning, and the following sludge judge measurements (in inches): total depth, depth of solids, and depth of grease, and anticipated destination of waste disposal. Photos of the GCD before and after cleaning are recommended. These records shall remain available for a period of at least three (3) years. The King George County Service Authority may require additional record keeping and reporting, as necessary, to ensure compliance with the terms of this Ordinance.
- D. Yellow grease rendering companies shall retain and make available for inspection and copy all records related to yellow grease collected from businesses located in King George County Service Authority wastewater service area. Yellow grease disposal logs shall include, at a minimum, the dates of pickup, name and business address of the company and person performing the pickup, the volume of yellow grease removed, and anticipated destination of the yellow grease.
- E. Submission of all reporting shall be as follows:
 - Name of form by mail, email, or fax
 - Approved electronic method.
- F. Renderable yellow grease containers shall be labeled with the following information:
 - Name of company supplying the container(s)
 - Phone number of companies supplying the container(s)
 - Name and/or address (including unit number) of the FSE where the container has been placed.

SECTION 7. FEES

- A. Fees provided for in this Ordinance are separate and distinct from all other fees chargeable by the King George County Service Authority. Fees applicable to this Ordinance are as follows:
- FSE registration fees shall be in the amount of \$ 75.00 and shall be payable at the time of submittal of the registration.
 - FSE inspection and re-inspection fees shall be in the amount of \$75.00 and shall be due upon invoice by the King George County Service Authority. Such fees may be added to the FSE's public utility bill.

SECTION 8. COMPLIANCE

- The King George County Service Authority may require existing FSEs to modify or repair any noncompliant GCD and appurtenances as noted in the written notice received by the FSE.
- The King George County Service Authority may require grease haulers to take corrective action as noted in the written notice received by the hauler.

SECTION 9. VIOLATIONS & PENALTIES

- Any person who, intentionally or otherwise, commits any of the acts prohibited by this ordinance shall be liable to the King George County Service Authority for all costs of containment, cleanup, abatement, removal, and disposal of any substance unlawfully discharged into the sanitary sewer system, as well as the costs of any damages or regulatory fines, which are proximately caused by such violations.
- Any person who, intentionally or otherwise, commits any of the acts prohibited by this Ordinance shall be subject to a fine in an amount not to exceed one thousand dollars (\$1,000.00) per violation. Each day of failure to comply with a requirement of this Ordinance shall constitute a separate violation. The court assessing such fines may, at its discretion, order such fines to be paid to the Treasurer of King George County for the purpose of abating, preventing, or mitigating environmental pollution.
- Enforcement will be in accordance with the associated Enforcement Response Plan. King George County Service Authority may revoke the FSEs business license, withhold reissuance of a business license, or terminate water and/or sewer services for violations of this Ordinance. King George County Service Authority may revoke the grease hauler's FOG Program certification or withhold reissuance of the FOG Program certification for violations of this Ordinance.
- In addition to any other remedy for the violation of this Ordinance, the General Manager may bring legal action to enjoin the violation of this ordinance, and the existence of any other remedy, at law or in equity, shall be no defense to any such action.
- The remedies set forth in this section are cumulative, not exclusive; and it may not be a defense to any action, civil or criminal, that one (1) or more of the remedies set for the herein has been sought or granted.

SECTION 10 EFFECTIVE DATE

This ordinance shall become effective on the 16th day of July 2024.

KGCBOS VOTE: 5-0 AND KGCSA BOD VOTE 5-0

KING GEORGE COUNTY BOARD OF SUPERVISORS

CATHY BINDER **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

TERRENCE COLLINS **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

WILLIAM DAVIS **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

DAVID SULLINS **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

KENNETH STROUD **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

KING GEORGE COUNTY SERVICE AUTHORITY BOARD OF DIRECTORS

CATHY BINDER **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

TERRENCE COLLINS **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

WILLIAM DAVIS **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

LEE ROWBOTHAM **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

DAVID SULLINS **x** **AYE** ____ **NAY** ____ **ABSTAIN** ____ **ABSENT**

APPROVED AS TO FORM:

ATTEST:

RICHARD STUART SR.
INTERIM COUNTY ATTORNEY

JACLYN M FISH
CLERK