



Ordinance No. 120

FATS, GREASE, OIL AND SAND CONTROL ORDINANCE

The Sanitary Board of the Cupertino Sanitary District, Santa Clara County, California, hereby ordains as follows:

SECTION 1: Existing Section 6223, "Grease", Section 6224, "Installation of Grease Control Devices", Section 6225, "Maintenance and Operation of Grease Control Devices", Section 6235, "Connection of Commercially Operated Dishwasher" and Section 7102, "Inspection Fees" are deleted in its' entirety and replaced and are approved to read as follows:

6223. GREASE, OIL AND SAND

- A. No person shall discharge, or cause, allow, or permit to be discharged into the sanitary sewer system any liquid or other waste containing Grease in excess of 150 parts per million by weight.
- B. No person shall discharge, or cause, allow, or permit to be discharged into the sanitary sewer system any liquid containing oil and/or sand from trash enclosure without an approved oil and sand separator.
- C. No person shall discharge, cause, allow, or permit any grease discharge from a food service establishment into the sanitary sewer system, unless such discharge has first been processed through an approved grease control device.
- D. No person shall discharge, cause, allow, or permit to be discharged any Yellow Grease, or any waste or mixed material mixed with Yellow Grease, into the sanitary sewer system from a food service establishment. No Yellow Grease from a food service establishment shall be mixed with grease trap or grease interceptor waste.

6224. INSTALLATION OF GREASE, OIL AND SAND CONTROL DEVICES

- A. The District Manager reserves the right to make determinations of grease interceptor or device size, adequacy, location and need, based on review of relevant information.
- B. Any food service establishment, or other type of business or establishment where grease or other viscous, obstructing, or objectionable materials, including automatic dishwashers, may be discharged into a public or private sewage main or disposal system, shall have a grease control device and related plumbing of a size and design approved by the District Manager.

- 1. Grease traps shall meet the following minimum requirements:

- a. The maximum allowable size of grease trap shall be flow rate of 25 gpm (or 50 lbs grease retention). District will provide the size requirements.
 - b. Type of grease trap shall be hydromechanical grease device, conforming to ASME A12.14.3 or PDI-G 101 and type/brand shall be approved by the District and City Building Department Official and installed per manufacturer's specifications.
 - c. Applicable requirements of the State plumbing and building codes.
2. Hydromechanical Grease Removal Device may be used with approval of the District and the City Building Official between 25 gpm and 100 gpm flow rate. If approved, size and other requirements shall meet the requirements of the State plumbing and building codes and installed in accordance with manufacturer's specifications.
3. Grease interceptors shall meet the following minimum requirements:
 - a. All flow rate in excess of 25 gpm shall be required to have grease interceptor designed with retention time of no less than 30 minutes or the size requirement per the latest plumbing/building codes, whichever criteria provides the larger size. District will provide the size requirements.
 - b. The minimum requirements per District's Standard Plans for Grease Interceptor.
4. Other acceptable grease removal devices
 - a. Automatic grease removal device or recovery units used as a grease trap is the preferred alternative to the hydromechanical grease removal device.
 - b. In lieu of grease interceptor for sizing ranging from 25 gpm to 100 gpm, an automatic grease removal device may be used with the District and City Building Official approval. These devices may be Big Dipper Brand or approved equal.
 - c. In areas where grease interceptor cannot be installed, an alternative method is to obtain District and City Building Official's approval to use maximum retention hydromechanical grease interceptor and/or automatic grease removal devices. These devices may be Trapzilla, Big Dipper or approved equal.
- C. Trash Enclosures: All trash enclosure areas connected to the sewer system shall be installed with oil and sand separator per District Standard Plans.
- D. Each grease removal device shall be so installed and connected that it shall be at all times easily accessible for inspection, sampling, cleaning and removal of grease, and other matter from all surfaces. District Manager-Engineer will approve locations of all grease

and oil/sand separator devices by acknowledging and signing the design plans. User shall not install any device if there is no signed approval from the District Manager.

- E. A Grease control device should be situated on the discharger's premises except when such a location would be impractical or cause undue hardship on the discharger. The District may, subject to the issuance of an encroachment permit by the entity having jurisdiction, allow the device to be installed in the Public Street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.
- F. Waste discharge from fixtures and equipment in establishments which may contain grease or other objectionable materials including, but not limited to, scullery sinks, pot and pan sinks, food waste disposals, soup kettles, and floor drains located in areas where such objectionable materials may exist, shall be drained into the sanitary waste through the grease control device unless otherwise approved by the District Manager provided, however, that toilets, urinals, wash basins, and other fixtures containing fecal material shall not flow through the grease removal device.

6225. MAINTENANCE, OPERATION AND ENFORCEMENT OF GREASE AND/OR SAND CONTROL DEVICES

- A. The District Manager reserves the right to make determinations of grease trap and/or interceptor size, adequacy, location and need, based on review of relevant information, including, but not limited to grease trap and/or interceptor performance, waste stream characteristics, facility location, maintenance needs, and or inspection needs.
- B. Grease control devices shall be maintained in efficient operating condition by periodic removal of the accumulated grease. The use of chemicals, bacteria, enzymes or other additives that have the effect of emulsifying or dissolving grease is prohibited unless specifically authorized by the District Manager in writing. No accumulated grease shall be introduced into any drainage piping or public or private sewer.
- C. Oil and sand separator shall be maintained in efficient operating condition by periodic removal of the accumulated oil and sand.
- D. Grease control devices shall be cleaned on a sufficient frequency to prevent objectionable odors, surcharge of the grease control device, or interference with the operation of the sanitary sewer system.
 - 1. Grease traps shall be cleaned at least once every thirty (30) days.
 - 2. Grease interceptors shall be cleaned once every ninety (90) days.
 - 3. Oil and sand separator shall be cleaned once every 2 years.
 - 4. Mechanical Grease Removal Devices must be maintained in a manner and frequency consistent with manufacturer specifications and guidance.
 - 5. Grease control devices shall be cleaned when their last chamber is filled to twenty-

five percent (25%) or more of capacity with grease or settled solids. Grease interceptors with a sample box shall be cleaned immediately when grease is evident in the sample box.

6. Grease control devices shall be cleaned by being pumped dry and all accumulated sludge on all surfaces shall be removed by washing down the sides, baffles, and tees. No water removed from the device during cleaning shall be returned to the grease control device.
- E. District Manager may grant an exception to the requirements of subsections D.1, D.2, D.3 and D.4 where the District Manager finds, based on evidence presented by the discharger, that a less frequent cleaning schedule will be sufficient to assure that not more than twenty-five percent (25%) of the capacity of the grease control device will be filled with grease or settled solids or 20% of the capacity of the oil and sand separator.
- F. All dischargers shall implement Best Management Practices in their operations to minimize the discharge of grease to the sanitary sewer system.
- G. Dischargers shall maintain records on site for a period of at least 3 years as follows:
1. Dischargers with an installed control device shall maintain records showing that the control device has been properly maintained and cleaned as required by subsections B, C and D; and
 2. Food service establishments shall maintain records showing the following related to all grease hauled off site: date and time material removed off site; volume removed; hauler name; truck license number, type of grease removed, and final destination of material collected.
- H. Abandoned grease removal devices shall be emptied and filled as required for abandoned septic tanks.
- I. Inspection and Sampling: District personnel may inspect the facilities of any user required to have grease or oil/sand separator, to determine whether the requirements set forth are being met. Owners, managers, employees, or any other occupants or operators of facilities where wastewater is generated and discharged to the District's sewerage system through an interceptor or separator, shall allow district personnel ready access to all areas of the premises, at all reasonable times or during normal hours of operations for the purpose of inspection, sampling, maintenance records review, or the performance of any other job related duty. The District shall have the right to set up on any user's property devices necessary for conducting wastewater sampling, inspection, compliance monitoring and/or metering operations.
- J. Existing Facilities: If in the opinion of the District Manager, an existing user requires the installation of a grease removal device for the proper handling of grease-laden wastewaters, the District will provide the user written notification of the requirement

which will include a compliance timeline. Failure on the part of a user to install a required grease removal device within the specified time will result in the initiation of enforcement action against the user and may result in the issuance of fines or the termination of service.

- K. **Violations, Enforcement and Penalties:** In the event that a user’s grease interceptor or other removal device fails a visual inspection, effluent sample analysis or inadequate maintenance records, the user shall be given written notice of non-compliant condition. User shall take immediate steps to bring the facility into compliance. Failure on the part of any user to maintain continual compliance with any of the requirements set forth herein will result in the initiation of enforcement action. Such enforcement action may include, but not limited to, the issuance of a warning letter, notice of violations, administrative citations in accordance with Chapter VIII – “Enforcement and Administrative Citations” and termination of service.

6235. CONNECTION OF COMMERCIALY OPERATED DISHWASHER AND GARBAGE AND FOOD GRINDERS

No dishwasher or garbage/food grinders are to be connected to sewer pipes conveying wastewater to an interceptor or any other grease removal device, unless such connections are approved by the District in writing before the installation or modifications thereof.

Non-grease-laden sources of wastewater are not allowed to be connected to sewer line intended for grease interceptor service.

7102. ADMINISTRATION, ENGINEERING AND INSPECTION FEES

Connection Permit Fees in Section 7101 for single family residential connection includes CCTV (television) and engineering and inspection of the lateral connection.

For all others, there will be separate charges for administration, engineering and inspection as follows:

Uses/Categories	Amount
1) Within public right of way, PUE or in District easement area.	Installers’ Agreement
2) Lateral connection to existing lateral with cleanout (No CCTV)	\$450
3) Lateral connection to existing lateral with cleanout with CCTV	\$650
4) Existing lateral with tenant improvements/redevelopment	\$300
5) Food service establishment with one new grease/interceptor system	\$500, each additional \$300 unit
6) Food service establishment with existing grease/interceptor system	\$250

For other uses/categories not included above, District Manager-Engineer will estimate the fee based on level of effort required for full cost recovery. All administration, engineering and inspection fees are non-refundable, unless an installers’ agreement specify terms of the administration, engineering and inspection fees.

SECTION 2: Existing Section 7101, "Connection Permit Fees" is hereby modified as follows:

Section 7101, Item 6, "Commercial and Retail Fee" is amended to read as follows:

6.1 Commercial and Retail without grease and sand/oil separator	\$500 per connection
6.2 Commercial and Retail with sand/oil separator	\$650 per connection
6.3 Food Service Establishment with one grease device/interceptor	\$850 per connection
For each additional grease device/interceptor	\$300 per each

SECTION 3: Add new section 8312 "Fog Compliance" requirements to Chapter VIII, Article 3: Administrative Compliance Orders to read as follows:

8312. Fog Compliance.

District Manager serves as hearing officer at all hearings. An establishment owner (or the owner's representative) is required to attend any scheduled Administrative Hearing. Failure to attend a scheduled hearing will result in the issuance of an additional Notice of Violation.

If an establishment fails to meet its show cause hearing due date, no further Notice of Violation is issued and no further hearing scheduled. Penalty fees will be issue for damages or destruction of the facilities of District, and any penalties, costs, and attorney's fees incurred by the pretreatment agency as the result of the illegal activity, as well as the expenses involved in enforcement. District penalty fees enforcing as follows:

- 1st Notification - Issue Notice of Violation (NOV) with 15-day deadline for correction
- 2nd Notification - Failure to comply w/ 1st NOV, Issue NOV with 10-day deadline for correction
- 3rd Notification - Failure to comply w/ 2nd NOV, Issue NOV + \$500.00 penalty
- 4th Notification - Failure to comply w/ 3rd NOV, issue fine (\$250.00/day penalty), plus reimburse cleaning cost to District and up to ten days of fines.
- Enforcement Violation per section 8111, Suspension of Sewer Services per District's Operation Code

SECTION 4: Adopt District Standard Policy and Guidelines for FOG and trash enclosures, dated October 18, 2017.

SECTION 5: Upon adoption this Ordinance shall be entered in the minutes of the Sanitary Board and a summary of this Ordinance prepared by the District Counsel shall be published once in the Cupertino Courier and the Saratoga News, being newspapers of general

circulation in the District. A certified copy of the full text of this Ordinance shall be posted in the office of the District Clerk.

SECTION 6: This Ordinance shall become effective upon expiration of the week of publication.

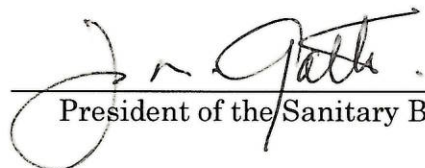
PASSED AND ADOPTED at a regular meeting of the Sanitary Board of the Cupertino Sanitary District held on the 18th day of October, 2017, by the following vote:

AYES: Directors Gatto, Kwok, Chen and Saadati

NOES: None

ABSTAIN: None

ABSENT: Director Bosworth



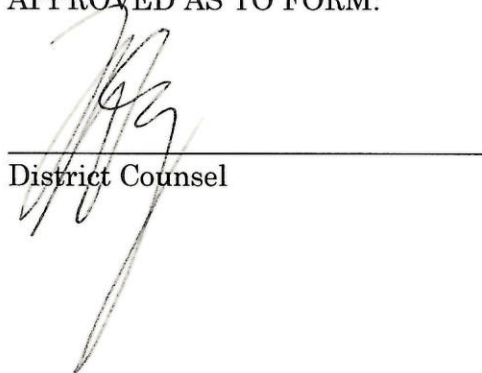
President of the Sanitary Board

ATTEST:



Secretary Pro-Tem

APPROVED AS TO FORM:



District Counsel