

## **ORDINANCE 436**

### **AN ORDINANCE PROVIDING SPECIFIC RULES AND REGULATIONS CONCERNING THE DISPOSAL AND RECLAMATION OF FATS, OILS AND GREASE (FOG)**

**WHEREAS**, the health and safety of both the citizens of Stilwell and municipal employees is of paramount importance,

**WHEREAS**, it is the opinion of this Council that adequate guidelines are essential for the efficient and effective control of FOG in the City sewer system,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:**

#### **SECTION 1. Definitions**

Unless otherwise stated in the context of this article the following terms and abbreviations shall have the ascribed meanings

- 1 Twenty-five (25) percent rule means when the floating grease and bottom sludge combine to displace at least one quarter of the tank's total depth
- 2 Approved haulers list means a list of all waste haulers approved by the city to operate within the City of Stilwell collection area
- 3 Bypass means any overflow of any amount from the city sanitary sewer collection system
- 4 Chronic violator means a person or facility with a pattern of neglect or disregard that results in the same or similar repeated violations during a twelvemonth period
- 5 Decanting means the practice of returning wastewater from the waste hauler truck back into the grease interceptor oil-water separator or grit trap after it is vacuumed out
- 6 Director means the City's Community Development Director
- 7 Domestic user means a user of the sanitary sewer system occupying a single-family residential unit and discharging only normal domestic sewage
- 8 Domestic Multifamily user means a user of the sanitary sewer system occupying a housing unit that has two (2) or more family units discharging only normal domestic sewage
- 9 Facility means a commercial business that generates FOG waste oil grit and or other petroleum waste or discharges wet wipes and/or paper towels into the City's sewer system
- 10 FOG means fats oils and greases
- 11 Generator means any person who owns or operates a grease trap/grease interceptor or whose act or process produces a grease trap waste or a business with an oil/water separator and/or grit trap or discharges wet wipes and/or paper towels into the City sewer system
- 12 Grease trap or interceptor means a device designed to use differences in specific gravities to separate and retain light density liquids waterborne fats oils and greases or designed to collect

settable solids generated by and from food preparation activities prior to the wastewater entering the sanitary sewer collection system

- 13 Grinder means a mechanical device used to shred solid substances to pieces less than one-half inch in any dimension
- 14 New facility means a newly constructed facility and/or the remodeling and or expansion of an existing facility
- 15 Non domestic user means any user other than domestic users
- 16 Notice of violation means a document issued to permit holders when they have violated their permit and/or this Code
- 17 Oil/water separator means the separator that separates the sand oil and other types of grit from the wastewater before it enters the City's sanitary sewer collection system
- 18 Reclamation system means a series of tanks or basins and filters that renders water reusable
- 19 Systems means grease trap or interceptor grinder oil/water separator or reclamation system when referenced within a section
- 20 Transporter means any hauler that removes the contents and cleans any grease trap/interceptor or oil/water separator.

## **SECTION 2. Scope, Applicability, and Prohibitions**

This article shall apply to all domestic, non-domestic and domestic multi-family users of the City of Stilwell sewer system

- 1 Grease traps, grease interceptors, oil/water separators, and/or grit traps shall not be required for domestic users
- 2 Facilities generating FOG as a result of from food manufacturing processing, preparation, or service shall install use and maintain appropriate grease traps interceptors These facilities include but are not limited to restaurants food manufacturers food processors hospitals hotels motels prisons nursing homes churches day cares and any other facility preparing serving or otherwise making any foodstuff available for consumption
- 3 Facilities generating automotive/petroleum oil, grease, sand, grit, and other types of waste as a result of automotive servicing and repair shall install use and maintain an oil/water separator and/or grit trap These facilities include but are not limited to car washes, automotive repair shops, tractor-trailer repair shops, car dealerships, and any other facility that maintains repairs or washes any type of motorized vehicles
- 4 No user may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, non-biodegradable cutting oil, mineral oil, gasoline, kerosene, or any other chemicals into the City's sanitary sewer collection system in such amounts as to cause interference with the collection system
- 5 This article shall apply to all facilities that generate FOG, waste oil, grit, or other products from automotive repair and washing who are connected that connect to the City's sanitary collection



system This shall also include transporters of the wastes which must comply with all local state and federal regulations

### **SECTION 3. General Interceptor Requirements, Design, Size, and Location**

- 1 All new facilities listed in but not limited to the International Plumbing Code, (IPC) or current OUBCC adopted version of the IPC with food preparation areas and all food processing plants and meat processing plants shall be required to install a one thousand gallon or 300-pound capacity or larger in-ground multi stage baffled grease interceptor
- 2 If an existing facility has a smaller grease trap/interceptor in use and it is not working properly it shall be replaced with a larger grease trap/interceptor. Any existing facility that has limited space to install a one thousand gallon or 300 pound in-ground grease interceptor shall be sized on a case-by-case basis by the director All grease traps installed shall conform to the IPC
- 3 Any existing facility that causes more than one (1) bypass or has been determined to be the cause of more than three (3) work orders due to grease blockages in any twelve-month period shall be required to install a larger grease trap/interceptor
- 4 All grease interceptors, traps oil/water separators and/or grit traps shall be located as to be easily and safely accessible for cleaning and inspection
- 5 All grease interceptors, traps oil/water separators and or grit traps shall have a full size operable and/or removable water tight cover for servicing and inspection

### **SECTION 4. Requirements for Generators**

All food service facilities automotive repair shops and car washes must have grease traps or grease interceptors that are properly installed in accordance with any and all applicable requirements of this Code

All food service and all automotive repair or petroleum oil changing facilities shall use an appropriate oil recycler for the reclamation of used oils. All reclamation activities shall be documented in the manifest log.

#### **1 New facilities**

- a. Food service: New food service facilities must install a grease interceptor of one thousand 1000 gallons or 300 pounds or larger in accordance with the EPA grease interceptor sizing worksheet and PDI capacity specifications
- b. Automotive repair and car washes; All facilities where automotive repairs are made all car washes and any other facility with the potential to discharge grease oil grit hazardous or flammable pollutants into the city sanitary sewer collection system are required to install grit traps of five hundred 500 gallons or more and oil/water separators of one thousand 1000 gallons or larger in accordance with this Code

#### **2 Existing facilities**

- a. Any facility without a grease trap/interceptor, oil/water separator, and/or grit trap shall then automatically be required to install operate and maintain a grease interceptor/trap, oil/water separator, and/or grit trap in accordance with this ordinance

- b. Food Service - Food service facilities shall be permitted to operate and maintain existing grease interceptors or grease traps provided their grease interceptor or grease trap are of the appropriate size and are in efficient operating condition
- c. Automotive repair and car washes - Automotive repair shops car washes and any other facility with the potential to discharge grease oil grit or flammable pollutants into the City's sanitary sewer collection system shall be permitted to operate and maintain existing oil/water separators and grit traps provided they are of the appropriate size and are in efficient operating condition
- d. The city may require an existing food service facility automotive repair shop or car wash to install a new grease trap grease interceptor oil/water separator grit trap or multiple systems that comply with the requirements of this Code or to modify and or repair any noncompliant plumbing or existing grease trap grease interceptor oil/water separator or grit trap when any one (1) or more of the following conditions exist
  - i. The facility is found to be contributing FOG grit hazardous or flammable pollutants paper towels or wet wipes in sufficient quantities to cause line stoppages bypasses explosion hazard or hazard to the health of people and/or the environment or necessitate increased maintenance of the City's sanitary sewer collection system
  - ii. The facility does not have a grease trap grease interceptor oil/water separator and/or grit trap
  - iii. The facility has an irreparable or defective grease trap grease interceptor oil/water separator or grit trap
  - iv. Remodeling of the food preparation area or kitchen automotive repair shop or car wash wastewater plumbing system is performed which requires a plumbing permit issued by the city
  - v. The facility is sold or undergoes a change of ownership
  - vi. The facility does not have plumbing to the grease trap grease interceptor oil/water separator and/or grit trap in compliance with the requirements of this Code
  - vii. The facility is found to be contributing wet wipes or paper towels in sufficient quantities to cause line stoppages or bypasses can be required to install and maintain a grinding device on their service line prior to discharging to the city s sanitary sewer collection system

### **3 Maintenance**

Grease traps interceptors oil/water separators and grit traps must be properly maintained operated and cleaned This includes the complete removal or pumping of all liquids sludge solids and wastewater on the surface sides and the bottom of the grease interceptor/trap oil/water separators and grit traps Generators shall not be allowed to decant or pump the waste grease or liquid fraction back into the grease interceptor/trap oil/water separator and/or grit trap for purposes of reducing the volume of waste to be disposed of



- a. Such maintenance operation and cleaning can only be performed by transporters that have a permit from the city to perform such maintenance operation and cleaning
- b. Facilities sanitary sewer service lines shall not be connected to the lines intended for grease interceptor/rap oil/water separator and or grit trap service
- c. Enzymes bacteria or surfactants shall not be used in grease interceptors or traps

#### **4 Manifest log**

It is mandatory that all facilities with a grease interceptor/rap oil/water separator and/or grit trap or reclamation container keep a record of all manifests and maintain a current manifest log This log shall include the transporter used city permit number vehicle tag number date and time pumped and must be signed by the transporter and an authorized representative of the facility This log shall be kept in a conspicuous location and shall be immediately available to a representative of the city who is performing such an inspection

#### **5 Closing of business**

It is mandatory that all facilities with grease interceptors/traps oil/water separators and or grit traps that close their business must have the grease interceptor/trap oil/water separator and or grit trap pumped out and cleaned Car washes automotive shops and other businesses with oil/water separators and or grit traps must also place caps on the discharge lines leading to the City's sanitary sewer collection system Before the proprietor vacates the building it must be inspected and approved by the city

#### **6 Self-cleaners**

In order to qualify as a self-cleaner, the trap that is being cleaned can only be 50 gallons or less Self-cleaners must adhere to all the requirements procedures and detailed record keeping as outlined in this Code. To ensure compliance with this Code a maintenance log shall be kept by the self-cleaning operators The maintenance log must contain at a minimum the following information

- a. Date the grease trap was serviced
- b. Name of the person(s) that serviced the grease trap
- c. Waste grease disposal method used i.e., grease/oil recycling receptor
- d. Signature of the operator after each cleaning that certifies that at the time of the cleaning all wastewater solids and grease were removed from the grease trap, all internal parts were in good operational condition, and the waste was disposed of properly
- e. List of replaced or repaired parts to include seals to include method of repair
- f. Grease trap self-cleaners who violate this Code shall be subject to enforcement action including but not limited to:
  - i. citations
  - ii. fines and/or
  - iii. removal from the self-cleaning program

## **SECTION 5. Requirements for transporters**

### **1 Permits**

- a. General All – Waste haulers must obtain a permit and pay the applicable fee The discovery of any false or misleading information provided by the applicant on an application shall result in the denial of a permit being issued or in revocation of the permit if it has been issued
- b. Duration of permit – When an application has been reviewed and approved by the director according to all rules in this Code and all appropriate fees are paid permits shall be issued for a period of not more than five (5) years from the date of issuance The permit holder may apply for a renewal of a permit a minimum of no more than 180 days prior to the permit’s expiration date The director may bring action in municipal court to terminate a permit if it is determined that the permit holder has violated the permit conditions
- c. Permit transfer – All permits are approved and issued to individuals No permit may be reassigned transferred or sold to a new owner
- d. Modifications – The director may modify or change the conditions on any permits issued including but not limited to the following:
  - i. To revise standards to keep in compliance with changing local state and federal regulations requirements and standards that may apply
  - ii. Due to a violation of any term of the permit
  - iii. A change in the permit holder’s process
  - iv. To reflect a change in facility ownership or facility location or e A request from the permit holder to have his/her permit modified reissued or terminated if received in writing by the director explaining in detail the permit holder s reasons for a modification
- e. Vehicle inspection – Transporters shall permit the city to inspect their registered vehicles annually
- f. Duty to comply – The permittee must comply with all conditions of his/her permit Failure to comply with the requirements of the permit shall be grounds for enforcement remedies as described in this Code
- g. Duty to mitigate – The permittee shall take all reasonable steps to minimize or correct any adverse impact to the City’s sewer or the environment resulting from noncompliance with the permit issued including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncompliance

### **2 Permit termination**

An issued permit may be terminated for but not limited to the following reasons

- a. Failure to abide by permit requirements
- b. Failure to pay fines



- c. Failure to pay fees or
- d. Failure to meet compliance

### **3 Compliance with applicable laws standards and requirements**

Compliance with the conditions of an issued permit does not relieve the permittee from his/her obligations regarding compliance with any and all applicable local state and federal laws standards and requirements including any such standards or requirements that may become effective during the term of the permit

### **4 Compliance date**

Every transporter of grease interceptor/trap oil/water separator and/or grit trap waste shall be in compliance with all the standards and requirements of this Code prior to its issuance

### **5 Pumping and cleaning of grease interceptors/traps, oil/water separators, and/or grit traps**

It shall be the responsibility of the transporters to properly clean the grease interceptor/traps, oil/water separators, and grit traps as required by this Code

- a. The cleaning of the grease interceptor/trap oil/water separators and grit traps shall be the complete removal of the contents of the grease interceptor/trap, oil/water separator, and/or grit trap. The walls must also be cleaned and all solids must be removed from the bottom of the interceptor/trap, oil/water separator, and/or grit trap
- b. Decanting of the supernatant back into the interceptor/trap, oil/water separator, or grit trap shall not be allowed.
- c. Discharging of the grease interceptor/trap, oil/water separator, or grit trap waste back into any part of the City's sanitary sewer, collection system, or storm water collection system is prohibited
- d. The transporter shall dispose of the grease interceptor/trap, oil/water separator, and grit trap waste in accordance with all local state and federal regulations

### **6 Manifest**

- a. Manifests shall be maintained and used to track grease interceptor/trap, oil/water separator, and/or grit trap waste from the initial generation of the waste to the final disposal. It shall be the responsibility of the transporter to prepare the Manifest.
- b. Manifests shall be issued to each transporter who has been issued a permit by the city.
  - i. The transporter shall ensure that the form is completed entirely
  - ii. The transporter shall keep a copy for his/her files leave the appropriate copy of the manifest with the generator and mail a completed copy to the city
  - iii. All generators and transporters shall keep their copies of manifests on file for a time period of at least three 3 years
  - iv. The manifests shall be kept in a conspicuous location and shall be immediately available to a representative of the city who is performing inspections

## **SECTION 6. Cleaning**

### **1 Prevention**

- a. Grease traps, grease interceptors, oil/water separators, and grit traps shall be cleaned as often as necessary to ensure that:
  - i. sedimentation and floating debris does not accumulate to impair the efficiency of the grease trap, grease interceptor, oil/water separator, and grit trap
  - ii. the discharge is in compliance with local discharge limits
  - iii. no visible grease is observable in the discharge

### **2 Schedule**

All devices must be inspected for damages by the transporter every time they are serviced.

- a. Grease interceptors/traps shall:
  - i. be serviced and completely pumped of accumulated waste content when any of the following occurs:
    - 1. the twenty-five (25) percent rule is reached or
    - 2. every three 3 months for grease interceptors and/or
    - 3. monthly for fifty (50) to one hundred (100) pound capacity grease traps
  - ii. conduct immediate service if, at any point in time, solidification occurs
  - iii. be kept free of inorganic solid materials which could settle in the sludge pocket thereby reducing the effective volume of the device such as but not limited to the following:
    - 1. grit
    - 2. rocks
    - 3. gravel
    - 4. sand
    - 5. eating utensils
    - 6. cigarettes
    - 7. shells
    - 8. towels
    - 9. rags
- b. Oil/water separators and grit traps
  - i. Oil/water separators and grit traps shall be serviced and completely pumped of accumulated waste content when either of the following occurs:
    - 1. the twenty-five (25) percent rule is reached or
    - 2. every six (6) months
- c. Car Wash



- i. If a water reclamation system in use the first two (2) to three (30) compartments must be completely pumped of accumulated waste when either of the following occurs:
  1. the twenty-five (25) percent rule is reached or
  2. every six (6) months
- ii. All of the chambers must be completely emptied and cleaned at least once a year

## **SECTION 7. Enforcement and Recovery**

### **1 Purpose**

It shall be the sole purpose of this section to recover any costs incurred by the city from the generators and transporters

- a. Manifest fees  
Manifest fees shall be established to recover any costs incurred by the city and is set through Ordinance 385
- b. Grease hauler permit fees  
The permit fee for each grease hauler permit application approved by the City is set by Ordinance 385

### **2 Fees and Penalties**

- a. Any person, firm or corporation violating any of the provisions of this ordinance or causing damage to or otherwise inhibiting the City's sanitary sewer collection system shall be liable to the city for any expense, loss, damage, and/or any fines and court costs resulting from said violation or discharge
- b. Any facility whose discharge causes a city main to become restricted and require flushing due to FOG wet wipes and/or paper towels shall be liable to the city for any expense loss or damage incurred
- c. Any facility with or without a grease trap/interceptor causing a bypass due to the facility's discharge of FOG shall be liable to the city for any expense, loss, damage, and/or any fines and court costs incurred
- d. Failure to correct the violation(s) or refusal to pay the assessed costs may result in a citation being issued. Upon conviction the penalty shall be:
  - 1 a fine in accordance with the most current court schedule and
  - 2 An additional penalty of no less than \$100.00 per day for each day the violation continues

### **3 Recovery**

All costs resulting from violation of this Ordinance, except for court costs and fines, shall be added to the violator's monthly water bill for payment. Failure or refusal to pay the assessed costs may result in a citation being issued

**SECTION 8. Repeal and Severability**

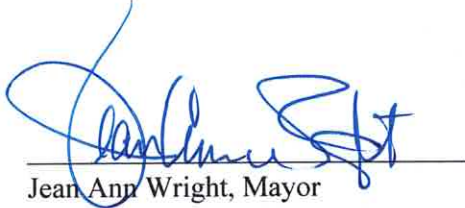
- 1 Any and all other existing ordinances or portions thereof in conflict herewith be and the same are hereby repealed.
- 2 The provisions of this ordinance shall be severable and, if any of the provisions shall be held in contravention of the Constitution and laws of the State of Oklahoma, the decisions of the court shall not affect the validity of the remaining portions.
- 3 It is the intent of this ordinance that the same would have been adopted had such unconstitutional or unlawful provisions, if any, not been included herein.

PASSED by the City Council this 4<sup>th</sup> day of March, 2024.

APPROVED by the Mayor this 4<sup>th</sup> day of March, 2024.

ATTEST:



  
Jean Ann Wright, Mayor

  
Larry A. Nettles, City Clerk-Treasurer