ORDINANCE NO. 2017-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES ESTABLISHING UNIFORM RULES AND REGULATIONS GOVERNING THE DISCHARGE OF FATS, OILS, GREASE AND GRIT INTO THE CITY OF BELTON'S SANITARY SEWER SYSTEM; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY; PROVIDING A SERVERABILTY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, the sanitary sewer system is a valuable and critical public resource that has required, and will continue to require, substantial investment by the City of Belton ("City"); and

WHEREAS, the City desires to structure and implement a fair and orderly process for fats, oils, grease and grit to protect the city's sanitary sewer system; and

WHEREAS, the City seeks to protect the public sanitary sewer system from contamination or pollution due to contaminants or pollutants from grease or grit traps, and;

WHEREAS, the City seeks to protect the surface water quality and public sanitary sewer system and from blockages, obstructions and sanitary sewer overflows caused by the accumulation of fats, oils, grease and grit discharged into the sanitary sewer system; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, THAT:

The City of Belton City Council hereby adopts a Fats, Oils, Grease and Grit Program for the City of Belton.

PART 1: Chapter 23 "Utilities," Article II, Division 5. "Fats, Oils, Grease and Grit Program," of the Code of Ordinances of the City of Belton, Texas, is hereby added to read as follows:

Division 5 - FATS, OILS, GREASE AND GRIT PROGRAM

Section 23-74 - Applicability and Purpose.

A. The purpose of this ordinance is to aid in the prevention of sanitary sewer blockages, obstructions and sanitary sewer overflows caused by the accumulation of fats, oils, grease, grit and hair discharged into the sanitary sewer system.

B. This ordinance shall apply to all non-residential users of the City of Belton's sanitary sewer system and transporters of grease or grit trap waste.

C. Grease, grit or hair traps shall not be required for residential users.

D. Facilities generating fats, oils or greases as a result of food manufacturing, processing, preparation, or food service shall install, use and maintain appropriate grease traps as required in this ordinance.

E. Facilities generating oil and grease wastes and inorganic solids generated by commercial, industrial, automotive or heavy machinery repair and/or washing shall install, use and maintain appropriate grit traps as required in this ordinance.

F. Facilities generating hair waste shall install, use and maintain appropriate hair traps as required by this ordinance.

G. No user may intentionally or unintentionally allow the direct or indirect discharge of any automotive oil, petroleum oil, non-biodegradable cutting oil, mineral oil, organic or inorganic substances, or any fats, oils or greases of animal or vegetable origin into the sanitary sewer system, drainage system, or the environment.

Section 23-75 - Definitions.

Act – Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, *et. seq.*

Biochemical Oxygen Demand (BOD) - amount of dissolved oxygen that must be present in water in order for microorganisms to decompose the organic matter in the water.

City - the City of Belton, City of Belton Public Works Department or a designated representative.

Chemical Oxygen Demand (COD) - a measure of the capacity of water to consume oxygen during the decomposition of organic matter and the oxidation of inorganic chemicals.

EPA - the United States Environmental Protection Agency.

Fats, oils, and greases (FOG) - organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measureable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases."

Generator - any person who owns or operates a grease, grit or hair trap, or whose act or process produces grease, grit or hair trap waste.

Grease trap - device designed to use differences in specific gravities to separate and retain light density liquids, waterborne fats, oils, and grease prior to the wastewater

entering the sanitary sewer collection system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection system.

Grease trap waste - material collected in and from a grease trap in the sanitary sewer service line of a commercial, institutional, or industrial food service or processing establishment, including the solids resulting from de-watering processes.

Grit trap - device utilized by commercial or industrial generators of liquid waste to intercept, collect and restrict the passage of petroleum-based oil and grease waste and inorganic or other solids in the sanitary sewer collection system.

Grit trap waste - oil and grease wastes and/or inorganic solids generated by commercial, industrial, automotive or heavy machinery repair and/or washing facilities.

Hair trap - device designed to intercept, collect and restrict the passage of hair into the sanitary sewer collection system.

Hair trap waste - hair generated by grooming establishments, either human or animal.

Indirect discharge or discharge - the introduction of pollutants into the City of Belton's sanitary sewer system from any non-domestic source.

Interference - a discharge which alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the City of Belton's sanitary sewer system, its treatment processes, operations, its sludge processed, use or disposal or is a cause of a violation of the city's TPDES permit.

pH - the measure of the relative acidity or alkalinity of water.

Publicly Owned Treatment Works (POTW) - a treatment works which is owned by a state or municipality as defined by section 502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances that convey wastewater to a POTW treatment plant. The term also means the municipality as defined in section 502(4) of the Clean Water Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. For purposes of this ordinance, the terms "sanitary sewer system" and "POTW" may be used interchangeably.

Receiving facility - a facility having written authorization by permit or registration issued by TCEQ to receive wastes as defined in 30 TAC 312.143.

Texas Commission on Environmental Quality (TCEQ) - the environmental agency of the State of Texas.

Transporter - a person who is registered with and authorized by the TCEQ to transport sewage sludge, water treatment sludge, domestic septage, chemical toilet waste, grit trap waste, or grease trap waste in accordance with 30 TAC 312.142.

Total Suspended Solids (TSS) - the value of the test for Total Suspended Solids, as described in the latest editions of "Standard Methods for the Examination of Water & Wastewater."

User - any person, including those located outside of the jurisdictional limits of the City, which contributes causes or permits the contribution or discharge of wastewater into the POTW, including persons who contribute such wastewater from mobile sources.

Section 23-76 - Installation, Maintenance and Manifest Requirements.

A. Installations

(1) Food processing or food service facilities which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility, where such facility did not previously exist, shall be required to design, install, operate and maintain a grease trap in accordance with this ordinance, locally adopted plumbing codes or other applicable ordinances. Grease traps shall be installed and inspected prior to issuance of a certificate of occupancy. If any grease trap at an existing facility is found to be inadequate or not installed based upon this ordinance, the existing facility will be required to design, install, operate and maintain a grease trap in accordance with this ordinance, locally adopted plumbing codes or other applicable ordinances.

(2) Commercial service or manufacturing facilities which are newly proposed or constructed, or existing facilities which will be expanded or renovated, or existing facilities changing ownership that generate automotive oil, grease, sand, wash water or other substances that will interfere with the sanitary sewer system shall be required to design, install, operate and maintain a grit trap in accordance with this ordinance, locally adopted plumbing codes or other applicable ordinances. Grit traps shall be installed and inspected prior to issuance of a certificate of occupancy. If any grit trap at an existing facility is found to be inadequate or not installed based upon this ordinance, the existing facility will be required to design, install, operate and maintain a grease trap in accordance with this ordinance, locally adopted plumbing codes or other applicable ordinances.

(3) Hair or grooming establishments, either human or animal, which are newly proposed or constructed, or existing facilities which will be expanded or renovated, or existing facilities changing ownership that generate hair clippings will be required to design, install, operate and maintain a hair trap

in accordance with this ordinance, locally adopted plumbing codes or other applicable ordinances.

(4) Sampling ports may be required to be installed on grease and grit traps at the discretion of the City of Belton Public Works Department on a case by case basis.

(5) Trap capacity sizing criteria. Notwithstanding any conflict found in this ordinance, the locally adopted plumbing codes or other applicable ordinances.

(a) Grease traps shall be sized in accordance with minimum criteria from the Grease Interceptor Sizing Worksheet from The Uniform Plumbing Code Formula.
(b) Grit traps for car washes shall install a minimum capacity of 1000 gallons for the first bay, with an additional 500 gallons of capacity for each additional bay. Grit traps for all other applicable facilities shall install a minimum capacity of 50 gallons for the first 100 square feet of area to be drained plus 7.5 gallons for each additional 100 square foot of area to be drained.
(c) Hair traps for wash sinks must be installed on each sink or a larger trap may be used at the end of the line of the wash sinks. Hair or grooming establishments that have floor drains must install a hair trap on all floor drains.
(d) The city may adjust final trap sizes as needed to protect the sanitary sewer system.

(6) New or existing facilities that do not have a properly installed trap in accordance with this ordinance, shall have one hundred eighty (180) days to have the proper device installed and to be in compliance with this ordinance. The city may extend this time period but it shall not exceed three hundred sixty-five (365) days.

(7) Existing facilities at the time of this ordinance adoption only: Smaller sized traps may be allowed, with City-approval. However, smaller-sized traps will require more frequent cleaning cycles. The shortest cleaning cycle allowed will be every 30 days, if approved by the City. This provision does not obligate the City to allow for traps smaller than the required size. Existing facilities that apply to this provision are still obligated to follow all other requirements of this ordinance, including penalties.

B. Cleaning and Maintenance

(1) All grease and grit trap waste shall be properly disposed of at a facility in accordance with EPA, TCEQ or local regulations.

(2) All traps shall be maintained in an efficient operating condition at all times.

(3) Each grease and grit trap pumped shall be fully evacuated unless the trap volume is greater than the tank capacity on the vacuum truck in which case the transporter shall arrange for additional transportation capacity so that the trap is fully evacuated within a 24-hour period.

(4) Grease trap self-cleaning operators must submit a self-cleaning request letter to the City of Belton Public Works Department for approval annually. Grit traps will not be allowed to be self-cleaned. The request letter shall include the following information:

(a) business name and street address;
(b) grease trap operator name, title, and phone number;
(c) description of maintenance frequency, method of disposal, method of cleaning and size (in gallons) of the grease or grit trap; and
(d) signed statement that the operator will maintain records of waste disposal and produce them for compliance inspections.

(5) Grease trap self-cleaning operators must meet the following criteria:

(a) the grease trap must be located inside of the building;
(b) the grease trap is no more than fifty (50) gallons in liquid/operating capacity;
(c) proper on-site material disposal methods are implemented;
(d) grease trap waste is placed in a leak proof, sealable container(s) located on the premises and in an area for the transporter to pump-out; and
(e) detailed records of these activities are maintained.

(6) Self-cleaning operators must keep a maintenance log that indicates, at a minimum, the following information:

(a) date the grease trap was serviced;
(b) name of the person or company servicing the grease trap;
(c) waste disposal method used;
(d) gallons of grease removed and disposed of; and
(e) signature of the operator after each cleaning that certifies that all grease was removed, disposed of properly, grease trap was thoroughly cleaned, and that all parts are in operable condition or were replaced.

(7) Violations incurred by grease trap self-cleaners will be subject to enforcement action including fines, removal from the self-cleaner program and possible termination of water services.

(8) Grease and grit traps shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of

the trap; to ensure the discharge is in compliance with local discharge limits; and to ensure no visible grease or grit is observed in the discharge.

(9) Grease traps subject to these standards shall be completely evacuated a minimum of every ninety (90) days and grit traps subject to these standards shall be completely evacuated a minimum of every one hundred eighty (180) days or more frequently when:

(a) twenty-five (25) percent or more of the wetted height of the trap, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediments, grit, oils or greases;

(b) the discharge exceeds;
(1) BOD of 800 mg/l;
(2) COD of 5300 mg/l;
(3) TSS of 800 mg/l;
(4) Oil and grease of 96 mg/l;
(5) pH of 9 but no less than 6;
(6) Water temperature of 104F (40C); and

(c) history of non-compliance.

(10) Any person who owns or operates a grease or grit trap may submit to the City of Belton Public Works Department a request in writing for an exception to the ninety (90) day grease trap and one hundred eighty (180) day grit trap pumping frequency requirement. The City of Belton Public Works Department may grant an extension for required cleaning frequency on a case-by-case basis when:

(a) the generator has demonstrated the specific trap will produce an effluent, based on defensible analytical results, in consistent compliance with established local discharge limits such as BOD, TSS, FOG or other parameters as determined by the City of Belton Public Works Department; or

(b) less than twenty-five (25) percent of the wetted height of the trap, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediments, grit, oils or greases.

(11) In any event, a grease or grit trap shall be fully evacuated, cleaned, and inspected at least once every three hundred sixty-five (365) days. The expense of these services are the responsibility of the generator.

(12) Hair traps are permitted to be self-cleaned by the generator. Hair traps must be cleaned out at least once every thirty (30) days or more often as needed. The hair waste is allowed to be disposed of in the generator's trash.

C. Alternative Treatment

(1) Alternative Treatment does not include to use of a cleaner, solvent or emulsifier to allow the FOG and grit to pass into the sewer system. A person commits an offense if the person introduces, or causes, permits, or suffers the introduction of any cleaner, solvent or emulsifier into a grease or grit trap. Cleaners, solvents and emulsifiers are materials which allow the grease and grit to pass from the trap into the sanitary sewer system and include but are not limited to enzymes, soap, diesel, kerosene, terpene, and other solvents.

(2) Bioremediation media may be used, for a grease trap, with the City of Belton's Public Works Department approval if the generator has proved to the satisfaction of the city that laboratory testing which is appropriate for the type of trap to be used, has verified that:

(a) the media is a pure live bacterial product which is not inactivated by the use of domestic or commercial disinfectants and detergents, strong alkalis, acids, and/or water temperatures of 104F (40C);
(b) the use of the media does not reduce the buoyancy of the grease layer in the grease trap and does not increase the potential for oil and grease to be discharged to the sanitary sewer;
(c) the use of the bioremediation media does not cause foaming in the sanitary sewer system; and
(d) the BOD, COD, TSS, oil and grease, pH, and water temperature discharged to the sanitary sewer after use of the media does not exceed the previous stated limits in Section 23-76, (9) (b).

(3) All testing designed to satisfy the criteria set forth shall be scientifically sound and statistically valid. All tests to BOD, COD, TSS, oil and grease, pH, and water temperature shall use appropriate tests which have been approved by the EPA and TCEQ and which are defined in Title 40, Code of Federal Regulations, Part 136 or Title 30 TAC 319.11. Testing shall be at the expense of the generator and records must be open to inspection by the City at all times and shall meet the City's approval.

D. Manifest/Log Book Requirements

(1) Each pump-out of a grease or grit trap must be accompanied by a manifest to be used for record keeping purposes.

(2) The manifest shall include:

(a) name, address, telephone, and TCEQ registration number of transporter; name, signature(s), address, and phone number of the person(s) who generated the waste and the date collected;

(b) type and amount(s) of waste collected or transported;
(c) name and signature(s) of responsible person(s) collecting, transporting, and depositing the waste;
(d) date and place where the waste was deposited;
(e) identification (permit or site registration number, location, and operator) of the facility where the waste was deposited;
(f) name and signature of facility on-site representative acknowledging receipt of the waste and the amount of the waste received;
(g) the volume of the waste received; and
(h) a consecutive numerical tracking number to assist transporters, waste generators, and regulating authorities in tracking the volume of grease or grit transported.

(3) A copy of the manifest must be turned in to the City of Belton Public Works Department within ten (10) days of the pump-out.

(4) Copies of the manifest must be kept onsite by the generator and shall be retained for three (3) years and be readily available for review by the City of Belton Public Works Department.

(5) Hair trap generators must keep a log book onsite with dates and times the hair trap(s) were cleaned. The log book must be kept onsite by the generator, shall be retained for three (3) years, and be readily available for review by the City of Belton Public Works Department.

Section 23-77 - Enforcement and Penalties.

A. The City of Belton or a designated representative shall have the authority to enter the property or premises of a generator to inspect the grease, grit or hair trap or any applicable devices at any time without notification to the generator.

B. A violation of any provisions of this ordinance will result in a Class C Misdemeanor in addition to fines not exceeding two thousand dollars ($2,000).

C. At any time, the City of Belton may terminate water services due to non-compliance with this ordinance.

Section 23-78 - 23-79 – Reserved.

PART 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

PART 3: It is hereby declared to be the intention of the City Council that if any sections, paragraphs, sentences, clauses and phrases of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences,

paragraphs and sections of this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

PART 4: The Code of Ordinances of the City of Belton, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

PART 5: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 21st day of November, 2017.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk