

November 4, 2016

**NOTICE OF PUBLIC HEARING ON
PROPOSED REVISIONS TO ORDINANCES**

Pursuant to Special Act 01-3, as adopted by the General Assembly of the State of Connecticut, The Metropolitan District will hold a public hearing on the proposed revision of **CHAPTER S15 “FATS, OILS AND GREASE (FOG) MANAGEMENT PROGRAM”** to The Metropolitan District’s Sewer Ordinances. The hearing will be held in the Board Room at District Headquarters, 555 Main Street, Hartford, Connecticut on **Wednesday, November 16, 2016 at 5:00 P.M.**

The proposed ordinance revisions are available for inspection at the Office of the District Clerk of The Metropolitan District, 555 Main Street, Hartford and www.themdc.org/district-board.

STATEMENT OF PURPOSE OF REVISION TO CHAPTER S15: Update Chapter 15 ‘*Fats, Oils and Grease (FOG) Management Program*’ of the MDC Sewer Ordinances. Change billing of FOG charges from Food Service Establishment to the property owner.

John S. Mirtle, Esq.
District Clerk

S - 15 FATS, OILS AND GREASE (FOG) MANAGEMENT PROGRAM

PART 15, GENERAL SEWER ORDINANCE

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SEC. S15a PURPOSE

The purpose of the Section of the Sewer Ordinance is to aid in preventing the accumulation of fats, oils and grease into the District's sanitary sewer system thus reducing the potential for sanitary sewer overflows. This Sewer Ordinance outlines the wastewater pretreatment requirements for food service preparation establishments and other commercial facilities that have the potential to discharge fats, oils and grease in their wastewater flow. All new and existing facilities that discharge fats, oils, and grease in their wastewater are applicable to this program. This Section of the Sewer Ordinance shall be an integral part of the District's Ordinance and its Charter in the application, administration and enforcement thereto.

SEC. S15b DEFINITIONS

The following terms shall have the meanings indicated hereafter where used in this Ordinance and are in addition to those defined in Part 1, General Sewer Ordinance, Section S1b, Definitions: ~~In accordance with the provisions of the charter of The Metropolitan District, the following procedure is established for reimbursing Member Town property owners that do not have access to the District's sanitary sewerage system for the approximate cost of pumping of Acceptable Septage from their septic tanks as set forth in Section 14d and 14f.~~

- 1) "FOG - FATS, OILS AND GREASE"
Any fats, oils and grease generated from the food preparation process as identified per the most current EPA method as listed in 40 CFR 136.3., as may be amended from time to time.
- 2) "FOOD PREPARATION-SERVICE ESTABLISHMENT (FSE)"
Food preparation-service establishment means a Class III or Class IV food service establishment as defined by Section 19-13-B42 of the State of Connecticut Public Health Code or any other facility discharging fats, oil and grease above the effluent limits in Section 5(c)(1) and (2) of the State of Connecticut General Permit for the Discharge of Wastewater Associated with Food Preparation-Service Establishments such as, but not limited to, restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, retail bakeries and clubs.
- 3) "GENERAL PERMIT FOR THE DISCHARGE OF WASTEWATER ASSOCIATED WITH FOOD PREPARATION SERVICE ESTABLISHMENTS"
The State of Connecticut's Department of Energy and Environmental Protection General Permit for the Discharge of Wastewater Associated with Food Preparation-Service Establishments issued September 30, 2005 October 5, 2016 and its subsequent updates.
The General Permit was formerly titled General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments.

- 4) "AGRU Active Grease Recovery Unit (AGRU)"
Automatic-Active Grease Recovery Unit means an interior grease interceptor that separates grease from wastewater by active mechanical or electrical means as described in the General Permit for the Discharge of Wastewater Associated with Food Preparation-Service Establishments issued September 30, 2005-October 5, 2015 and its subsequent updates.
- 5) "Super Capacity Grease Interceptor (SCGI)"
Super Capacity Grease Interceptor means an indoor passive unit, third party certified to retain more than four times the amount of pounds (lbs) of grease than the flow rating in gallons per minute (GPM) and is designed to separate fats, oils and grease from wastewater while allowing water to flow through and meets specifications defined by Section 5(b)(3) of the General Permit.
- 6) "Grease Trap/FOG Interceptor"
Grease Trap/FOG Interceptor means a minimum 1,000 gallon outdoor, in-ground passive unit designed to separate fats, oils and grease from wastewater while allowing water to flow through and meets specifications defined in Section 5(b)(1) of the General Permit and the MDC Sewer Standard Details S-38 Outside Grease Separator for Kitchen Waste Lines.
- 7) "FOG Management Equipment"
FOG Management Equipment means properly designed, installed and operated equipment including Active Grease Recovery Units (AGRU), Grease Trap/FOG Interceptors and Super Capacity Grease Interceptors (SCGI), as approved by MDC, designed to meet the effluent limits defined by Section 5(b)(1) of the General Permit.

SEC. S15c RULES AND REQUIREMENTS

Food ~~preparation-service~~ establishments discharging wastewater to the District's collection system are subject to the following requirements which shall constitute the District's Fats, Oils and Grease Management Program ("FOG"):

1. Compliance with the General Permit for the Discharge of Wastewater Associated with Food ~~Preparation-Service~~ Establishments.
2. ~~Annual-Every three (3) years FSEs filing of a~~ are required to complete FOG registration ~~on-or Variance application~~ forms supplied by the District. All registrations and variances are non-transferable and must be ~~re~~submitted to the District after any change in ownership or significant menu/facility change.
3. ~~Regular inspections-Inspections~~ performed by the District to verify compliance with these requirements and those requirements of the General Permit for the Discharge of Wastewater Associated with Food ~~Preparation-Service~~ Establishments.

4. Payment of any fees associated with registration, variances, fines or violations, ~~variances~~ and reimbursement for costs associated with any emergency services provided by the District.

SEC. S15d EQUIPMENT REQUIREMENTS

Wastewater generated from food ~~preparation-service~~ establishments shall be treated at the point of discharge to remove FOG using ~~an Outdoor In Ground Grease Trap Interceptor (Grease Trap Interceptor) or AGRU FOG Management Equipment to~~ meeting the requirements of the General Permit for the Discharge of Wastewater Associated with Food Service Preparation Establishments.

The ~~Grease Trap Interceptor or AGRU FOG Management Equipment~~ shall be connected to those fixtures or drains that would allow FOG to be discharged. This shall include but is not limited to; pot sinks, pre-rinse sinks, any sinks into which fats, oils, or grease are likely to be introduced, soup kettles or similar devices, wok stations, floor drains or sinks into which kettles may be drained, automatic hood wash units, ~~dishwashers without pre-rinse sinks~~, and any other fixtures or drains that are likely to allow fats, oils and grease to be discharged.

SEC. S15e VARIANCES

If a Food Preparation-Service Establishment has limited potential for FOG in the discharge; an establishment may request a variance for required equipment by submitting a Application for Variance on a form provided by the District. If a variance of equipment is approved, the Food Preparation-Service Establishment owner shall pay a variance registration fee. The variance registration is valid for a period of three years. If there is a change of ownership then the establishment's new owner must submit a new Application for Variance and pay the associated fee. Facilities that receive a variance on the FOG Management Equipment requirement are subject to the FOG Annual Fee.

SEC. S15f INSPECTIONS

Food Preparation-Service Establishments shall be subject to inspection by the District on a regular basis to determine whether the requirements set forth in this Ordinance and the General Permit are being met. Inspections may include but are not limited to; inspection of the FOG Management Equipment and food preparation activities, review of records for the quarterly inspections performed by the Food Preparation Establishment Service Establishment, grease storage and review of cleaning and maintenance logs.

SEC. S15g DISCHARGE LIMITS

No Food ~~Preparation-Service~~ Establishment shall discharge or cause to be discharged any wastewater with a FOG concentration in excess of one hundred (100) milligrams per liter, as determined by the currently approved test for recoverable fats and grease listed in 40 CFR 136.3, as may be amended.

SEC. S15h VIOLATIONS

In the event that a Food ~~Preparation-Service~~ Establishment fails to meet the recordkeeping, installation, maintenance and/or operational requirements or discharge limit, the District will issue a written notice of violation for the non-compliant condition(s). The Food ~~Preparation-Service~~ Establishment and/or Property Owner shall take immediate steps to bring the establishment into compliance.

Any violation of the District's FOG Management Program will be subject to violation fees. Each day that a violation continues shall be considered a separate occurrence.

SEC. S15i RESTRICTIONS

No Food ~~Preparation-Service~~ Establishment shall introduce any additives, including but not limited to, enzymes or surfactants as grease emulsifiers or degradation agents, into the ~~Grease Interceptor or AGRU~~ FOG Management Equipment unless given prior approval by the District.

SEC. S15j SEWER STOPPAGES AND MAINTENANCE

In the event of a sewer stoppage or blockage, caused by an FOG discharge from a Food ~~Preparation-Service~~ Establishment, the District shall notify said establishment and/or Property Owner in writing, and said establishment and/or Property Owner shall reimburse the District any expenses incurred by the District as a result of the sewer stoppage or blockage. The expenses may include, but are not limited to, the cost of services of District employees or contractors for any work or inspection necessary to relieve such stoppage or blockage, and damage to any other properties effected.

If any FOG related stoppage requires emergency action on the part of the District, the Food ~~Preparation-Service~~ Establishment and/or Property Owner shall be charged a minimum penalty fee per event in addition to the cost of services of District employees or contractors. An emergency is defined as any event which requires power rodding, snaking, jetting or any other work required to clear the stoppage. ~~after regular business hours of the District.~~

In the event the collection system needs to be cleaned due to the excess FOG discharged by a Food ~~Preparation-Service~~ Establishment, the establishment and/or

Property Owner shall pay to the District the expense incurred by the District to clean the sewer or appurtenance therefore.

SEC. S15k FEES

The District Board may establish and revise fees for the District's FOG Management Program required by this Ordinance. The fees include, but are not limited to: annual registration, variance, violation and maintenance fees.

SEC. S15l BILLING OF FOG CHARGES

The fees associated with the District's FOG Management Program will be billed to the Property Owner of the Food ~~Preparation Establishment~~ Service Establishment as detailed on the FOG registration form.

SEC. S15m PAYING OF FOG CHARGES

The fees associated with the District's FOG Management Program, either as a separate bill or combined with the water and/or sewer bill, shall be due and payable within 30-days of the date of issue, and the District is empowered to permit an extension of time of the due date up to seven days after the end of the billing period. One percent (1%) interest will be applied monthly to the unpaid balance, including previously applied interest, of all bills outstanding beyond the 30 days.

SEC. S15n NON-COMPLIANCE

The District reserves the right to notify the Connecticut Department of Energy and Environmental Protection of any establishment that ~~is continues to be~~ non-compliant with the District's FOG Management Program.

~~SEC. S15o TIME ORDINANCE BECOMES EFFECTIVE~~

~~This ordinance shall become effective on January 1, 2008.~~

~~(Adopted October 1, 2007) (Effective January 1, 2008)~~