

Fats, Oils, and Grease (FOG) Program

Reference: City of Dubuque CMOM

Ordinance No: 42-14

Prepared by:



CITY OF DUBUQUE
50 W 13th Street
Dubuque, IA 52001

2014 Edition v.1

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1.0 Purpose

This program sets forth the uniform requirements for Users of the City of Dubuque's POTW to capture and dispose of fats, oils, and greases (FOG) in accordance with Ordinance No.42-14 and enables the City to comply with all applicable state and federal laws, including the Clean Water Act, 33 U.S.C., § 1251, *et seq.*; and the General Pretreatment Regulations, Title 40 C.F.R. Part 403. No Food Establishment may intentionally or unintentionally allow the direct or indirect discharge of any fats, oils, or greases of animal or vegetable origin into the POTW system in such amounts as to cause interference with the collection and treatment system, cause pollutants to pass through the treatment works into the environment, or cause a violation of the General Discharge Prohibitions listed in Section 13-2D-4.

1.1 REQUIREMENTS

This program seeks to meet that purpose instituting the following requirements:

- Ordinance No.42-14 states the City Manager shall develop, with the approval of the City Council, a written fats, oils and grease (FOG) program. The program shall govern a Food Establishment's FOG reduction and controlling methods including the installation, maintenance, repair, and replacement of FOG controlling devices. Food Establishments discharging waste to the POTW shall meet Title 13, Chapter 2, Article D (6) Specific Pollutant Limitations.
- Food Establishments shall control FOG discharge through installation of FOG control devices (International Plumbing Code, Chapter 10) and through the use of Best Management Practices (BMPs).

1.2 PROGRAM IMPLEMENTATION

For Food Establishments, in operation prior to the adoption of Ordinance 42-14, the City shall implement the FOG program requirements in three (3) phases based on the following Establishment criteria:

- Health Services Department menu designation (High, Medium, and Low Risk)
- The City's documentation showing Sanitary Sewer Overflows downstream of a Food Establishment (FE)
- Historic violations of the FOG program and its ordinance
- The FE's FOG Operation and Maintenance Management Plan

The implementation schedule is as follows:

Phase 1: High Risk Establishments

- Notification of High Risk Designation on or about July 31, 2014
- Permit Application and Fee Due No Later than December 31, 2014
- FOG Maintenance and Management Plan due no later than 30 days following Permit issuance.

Phase 2: Medium Risk Establishments

- Notification of Medium Risk Designation on or about July 31, 2014
- Permit Application and Fee Due No Later than June 30, 2015
- FOG Maintenance and Management Plan due no later than 30 days following Permit issuance.

Phase 3: Low Risk Establishments

- Notification of Low Risk Designation on or about July 31, 2014
- Permit Application and Fee Due No Later than December 31, 2015
- FOG Maintenance and Management Plan due no later than 30 days following Permit issuance.

2.0 Applicability and Exemptions

2.1 APPLICABILITY

All non-domestic Users of the Publicly Owned Treatment Works (POTW), as defined in Section 4 of this Program and as similarly defined in 13-2D-2 are subject to the requirements of this program.

All Food Establishments discharging FOG-laden wastewater in excess of the limits set forth in 13-2D-6 are subject to the requirements of this program.

Both new and existing facilities that generate fats, oils, or greases as a result of food manufacturing, processing, preparation, or food service shall be subject to these requirements. Further those establishments engaged in the activity of preparing, serving, or otherwise making food available for consumption by the public, which use one or more of the following preparation methods: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, infrared heating, searing, barbecuing, and any other method of food preparation that produces or may produce hot, non-drinkable food product in or on a receptacle that requires washing shall install, use, and maintain appropriate grease interceptors as required in 14-1H-2 International Plumbing Code Amendments and shall be designed and sized in accordance with Section 6 of this Program. These facilities include but are not limited to restaurants, food manufacturers, food processors, commercial kitchens, hospitals, schools, hotels and motels, bakeries, caterers, schools, religious institutions, correctional facilities, prisons, nursing homes, care facilities, and other facilities that may prepare, serve, or otherwise make any foodstuff available for consumption.

2.2 EXEMPTIONS

Facilities that only reheat or assemble ready to eat food products until such time as they meet the requirements of this program. Change of use shall prompt compliance with this program and its ordinance.

Private living quarters (such as single-family homes and single dwelling units in multiplexes, condominiums or apartment complexes, etc.). Change of use meeting uses defined in Section 2.1 shall prompt compliance with this program and its ordinance.

There are no further exemptions to this program, other than those stated herein.

3.0 Legal Requirements

3.1 LEGAL REQUIREMENTS

Act/Regulation	Summary of Requirements	Penalty/Fine
Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.	The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's Waters - Federal Water Pollution Control Act	Fine, Imprisonment, or Both per 33 U.S.Code 1319 - Enforcement
Title 13, Chapter 2, Article D (3) of the City of Dubuque Code of Ordinances	The code provides the approved definitions of FOG and POTW.	Title 1, Chapter 4, B. Penalties of the City of Dubuque Code of Ordinances.
Civil Action No. 2:11-cv-01011 EJM	City of Dubuque entered into a consent decree on Civil Action No. 2:11-cv-01011 EJM, with the Environmental Protection Agency (EPA) on June 27, 2011. Pursuant to Section V, Part 13 of the Consent Decree, the City shall establish a Collection system Management, Operation and Maintenance (CMOM) program which provides for a Fats, Oils, and Grease (FOG) management program.	

4.0 Definitions

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

Best management practices (BMPs): Methods or techniques found to be the most effective in achieving an objective such as preventing or minimizing pollution. For this program, BMPs refer to methods and techniques used by Food Establishments and food manufacturers/processors and other facilities that may have an impact on the sewer system by the deposition of FOG, to prevent or minimize the deposition of fats, oils, and grease from cooking, baking, processing, manufacturing, and other processes in private sewer laterals and public sewer lines, structures, and wastewater treatment facilities. An example of a BMP is scraping or dry-wipe excess food and solidified grease from pots, pans, fryers, utensils, screens and mats, then disposing of it in the trash.

BOD: The value of the 5-day test for Biochemical Oxygen Demand, per Title 40 CFR 136.

CITY: The City of Dubuque, including the publicly owned treatment works (POTW) owned by the City of Dubuque, 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 Act, which has jurisdiction over the indirect discharges to and the discharges from such treatment works. For purposes of this program, the terms "sanitary sewer system" and "POTW" may be used interchangeably

EVENT: A planned public or social occasion where a wide range of food preparation activities including, but not limited to the following can generate fats, oils and grease: cooking by frying, baking, grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, poaching, infrared heating, searing, barbequing or other food preparation activity that produces a food product in or on receptacles that require washing and or cleaning. Each separate meal will be considered an individual event. For example, breakfast = 1 event, lunch = 1 event, supper = 1 event.

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 measurable 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." A wide range of food preparation activities including, but not limited to the following can generate fats, oils and grease: cooking by frying,

baking, grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, poaching, infrared heating, searing, barbequing or other food preparation activity that produces a food product in or on receptacles that require washing and or cleaning. All are sometimes referred to herein as “grease”, “greases”, or “FOG”.

Food Establishment (FE): A place where food is prepared and intended for individual portion service, whether consumption occurs on or off the premises. These facilities include, but are not limited to, restaurants, food manufacturers, food processors, commercial kitchens, hospitals, schools, hotels and motels, bakeries, caterers, schools, religious institutions, correctional facilities, prisons, nursing homes, care facilities, and any other facility preparing, serving or otherwise making any foodstuff available for consumption.

Grease interceptor: An appurtenance or appliance that is installed in a sanitary drainage system to intercept non- petroleum fats, oils and grease (FOG) from a wastewater. There are two types of Grease interceptors, Gravity Grease Interceptors and Hydro-mechanical Grease Interceptors (passive and automatic)

Gravity Grease Interceptor: Plumbing appurtenances of not less than 500 gallons capacity that are installed in the sanitary drainage system 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. Gravity Grease Interceptors shall be installed outside for ease of inspection and grease hauling.

Hydro-mechanical Grease Interceptor: A passive plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept non-petroleum fats, oils, and grease (FOG) from a wastewater discharge and is identified by flow rate, and separation and retention efficiency. The design incorporates air entrainment, hydro mechanical separation, interior baffling, and/or barriers in combination or separately, and an External flow control, with air intake (vent). Product must be approved the City of Dubuque's Building Department. City approved devices as per the Plumbing Drainage Institute.

Grease Removal Device (GRD): a type of hydro-mechanical grease interceptor (HGI) that treats kitchen wastewater from Food Establishments (FEs) and are equipped with **automatic** grease removal features. They are typically installed indoors and connected to one to four sinks in the kitchen. They accumulate fats, oil and grease (FOG) in a relatively small separator tank. The accumulated FOG is automatically removed from the GRD and transferred to a separate FOG waste container. Product must be approved the City of Dubuque's Building Department. City approved devices as per the Plumbing Drainage Institute.

Grease Waste: Material collected in and from a grease interceptor 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.

FOG Disposal System: A grease interceptor that reduces non-petroleum fats, oils, and grease (FOG) in effluent by separation, mass, and volume reduction.

Indirect Discharge or Discharge: The introduction of pollutants into a POTW 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 POTW, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of the City's NPDES permit.

pH: The measure of the relative acidity or alkalinity of water and is defined as the negative logarithm (base 10) of the hydrogen ion concentration.

POTW or Publicly Owned Treatment Works: A treatment works which is owned by a municipality as defined by section 503(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 Act, which has jurisdiction over the indirect discharges to and the discharges from such treatment works. For purposes of this program, the terms "sanitary sewer system" and "POTW" may be used interchangeably.

Waste Hauler: Means a person who is registered with and authorized by the City to transport sewage sludge, water treatment sludge, domestic septage, chemical toilet waste, grit trap waste, grease interceptor/trap waste or any other waste produced by an industrial user in accordance with current federal, state, and local regulations. For a waste hauler that intends to pick up grease waste from any food establishment, the *owner* of the waste hauling business and *all drivers/operators* shall satisfactorily complete a training course on grease interceptor cleaning offered by the City.

TSS: The value of the test for Total Suspended Solids, per Title 40 CFR 136

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

5.0 Compliance and Compliance Schedule Requirements

5.1 COMPLIANCE

5.1.1 FOG Operation and Maintenance Management Plan

FE's are required to submit a FOG Operation and Maintenance Management Plan to the City of Dubuque's Building Department, Planning Department, and the POTW's Pretreatment Coordinator. Upon approval of the plan, the FE shall then be provided with approved grease hauler information, educational materials, FOG program documentation requirements, and inspection frequency schedule. The FE shall be monitored by the City.

Minimum submittal requirements of the FOG Operation and Maintenance Management Plan are as follows:

- Contact information
- Type and Category of FE
- Operation of the FE
- Proposed BMPs and FOG control devices.
- Facility Layout
- Authorized Signature(s)

The City shall provide forms to complete the FOG Operation & Maintenance Management Plan.

FE's shall submit the manufacturer's drawings of the existing/proposed interceptor.

FE's are required to submit a kitchen or food preparation layout plan and scaled drawings. Existing FE's not undergoing remodel or menu changes shall submit a kitchen layout based on the best information known. For new, renovated, or change of ownership or transfer the FE shall submit a layout plan prepared by qualified professional.

Qualified professionals include:

- Licensed Professional Engineers, including State of Iowa Licensed Professional Engineers for Site Design,
- State of Iowa licensed/master plumbers,
- State of Iowa licensed Architects.

Should no further instruction be provided, plans shall be prepared in compliance with the Iowa Statewide Urban Design and Specifications (SUDAS) program and the City of Dubuque's Supplemental Specifications.

5.1.2 Prohibited Practices

No person shall introduce, or cause, permit, or suffer the introduction of any surfactant, solvent or emulsifier into a grease interceptor. Surfactants, solvents, and emulsifiers are materials which allow the grease to pass from the grease interceptor into the collection system, and include but are not limited to enzymes, soap, diesel, kerosene, and other solvents.

No dishwashers, food grinders, or sanitary waste pipe lines shall be plumbed to the grease interceptor.

5.1.3 Monitoring

The City has the right to enter the premises of any FE or potential FE to determine whether the FE is complying with all requirements of this program, pursuant to 13-2D-11. FE's must allow the City ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties. Frequency of inspection, beyond the initial phase in of the program, shall be determined upon the following:

- Health Services Department menu designation (High, Medium, and Low)
- The City's documentation showing Sanitary Sewer Overflows downstream of a Food Establishment (FE)
- Historic violations of the FOG program and its ordinance
- The FE's FOG Operation and Maintenance Management Plan

If the City has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate cause to believe that there may be a violation of this program, the City may seek issuance of an administrative search warrant. If the City has reason to suspect that public health and well-being may be endangered by the FE's refusal of admittance, the City may seek to bar the public from the premises until access has been granted and compliance with the program and its ordinance is confirmed.

5.2 COMPLIANCE SCHEDULE

Failure to meet the full requirements and schedule of this program shall be considered a Municipal Infraction under Title1, Chapter 4 of the City of Dubuque's ordinances.

5.2.1 New or Renovated Facilities

Food processing or Food Establishments (FE) which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility, or where such facility did not previously exist, shall be required to design, install, operate and maintain a grease interceptor in accordance with locally adopted plumbing codes and applicable ordinances. New FEs must submit a FOG operation and maintenance management plan at the time of building/development review. The FOG operation and maintenance management plan shall follow the requirement in Section 5 of this program. All grease lines must pass through the grease interceptor. The plan shall be reviewed for compliance by the Building Department, Health Services, and as necessary, the Engineering Department. The FE shall submit a Discharge Permit Application and Fee. A plumbing permit will not be granted until the FOG operation and maintenance management plan, application permit and fee are approved by all necessary departments. Grease interceptors shall be installed and inspected by the City prior to issuance of a Certificate of Occupancy.

5.2.2 Change or Transfer of Ownership

Prior to issuance of a Food License, or Certificate of Occupancy the new owner shall contact the City's Building Department and Health Services Department. The new owner must submit their FOG operation and maintenance management plan with their Food License application. Should the property not meet the criteria of this program and/or its ordinance(s) the FE user must design, install, operate and maintain a grease interceptor in accordance with locally adopted plumbing codes and applicable ordinances. The FOG operation and maintenance management plan shall follow the requirement in Section 5 of this program. All grease lines must pass through the grease interceptor. The plan shall be reviewed for compliance by the Building Department, Health Services, and as necessary, the Engineering Department. The FE shall submit a Discharge Permit Application and Fee. A Food License permit will not be granted until the FOG operation and maintenance management plan, application permit and fee are approved by all necessary departments.

5.2.3 Existing Facilities

Existing FE's shall be subject to the Implementation Schedule identified in Section 1 of this program and its associated ordinance as adopted by the City Council. Existing grease interceptors must be operated and maintained in accordance with the manufacturer's recommendations and in accordance this program and be documented as such in the FOG operation and maintenance management plan. Should an existing grease interceptor not meet the requirements stipulated in this program or the City's applicable ordinances, the applicant must upgrade, supplement, or replace the existing interceptor within the compliance timeframe shown in the implementation schedule. The new interceptor design shall be subject to review procedures stated in 5.1.1 of this

section. For the user of an **Existing FE without a grease interceptor**, the user must design, install, operate and maintain a grease interceptor in accordance with locally adopted plumbing codes and applicable ordinances within the compliance timeframe shown in the implementation schedule. The existing FE must submit a FOG operation and maintenance management plan including detailed drawings showing full plumbing layout with separation of grease lines from domestic waste lines. All grease lines must pass through the grease interceptor. The plan shall be reviewed for compliance by the Building Department, Health Services, and as necessary, the Engineering Department. The FE shall submit a Discharge Permit Application and Fee. Failure to comply with this program and its ordinance(s), the FE will be subject to 1-4-2 Civil Penalties.

6.0 Grease Interceptor: Design, Sizing, and Installation Requirements

6.1 DESIGN AND SIZING REQUIREMENTS

Applicable Design and Performance Standards, Latest Editions of:

- ASTM C1613: Standard Specification for Precast Concrete Grease Interceptor Tanks
- ASTM F2649: Standard Specification for Corrugated High Density Polyethylene (HDPE) Grease Interceptor Tanks
- ASME A112.14.3: Grease Interceptors
- ASME A112.14.4: Grease Removal Devices
- ASME A112.14.6: FOG (Fats, Oils, and Greases) Disposal Systems
- IAPMO/ANSI Z1001: Prefabricated Gravity Grease Interceptors
- UPC Chapter 10: Traps/Interceptors and Separators
- PDI G101: Testing and Rating Procedure for Grease Interceptors with Appendix of Sizing and Installation Data.

Grease interceptor capacity calculations shall be performed by each FE User and/or Generator based on size and type of operation according to the formulas contained in the sizing guidelines in the most current edition of the UPC. To ensure the correct size is determined, design considerations shall extend to surge flow design and minimization of sulfides. The minimum wet volume of any one unit shall be 500 gallons and the maximum wet volume of any one unit shall be 10,000 gallons.. Stamped and sealed calculations performed by a qualified professional, must be submitted to the City of Dubuque's Building Department along with the 3rd-party shop drawings of the proposed interceptor, for review and approval prior to issuance of a plumbing permit or food license permit, as applicable. Example calculation sheet shall be available from the City upon request.

Hydro-mechanical and Gravity Grease interceptors shall be equipped with devices to control the rate of water flow so that the water flow does not exceed the rated flow. The flow-control device shall be vented and terminate not less than 6 inches (152mm) above the flood rim level or be installed in accordance with the manufacturer's instructions.

Hydro-mechanical Grease Interceptors including GRDs, where permitted by the City, must be designed to meet this section.

6.1. BIOREMEDIATION

Bioremediation media shall only be used with approved FOG Disposal Systems. FE's must submit request to utilize bioremediation media, and receive written permission

from the POTW before implementation of bioremediation media. The request must demonstrate that the FE has an appropriate FOG system in place, in accordance with ASME A112.14.4 and shall be subject to appropriate testing as necessary.

All tests to determine TSS, BOD, COD, pH, and other pollutant levels shall meet the testing requirements in accordance with Title 40 CFR, Part 136. Testing shall be open to inspection by the POTW.

6.2 INSTALLATION REQUIREMENTS

Interceptor Location: a grease interceptor shall be installed on a separate building sewer line servicing only kitchen or food manufacturing/processing flows and shall be connected only to those fixtures or drains which would allow FOG to be discharged. This includes, but is not limited to:

- Pot sinks;
- Pre-rinse sinks;
- Any sink into which FOG are likely to be introduced;
- Clean-in-place cooking equipment;
- Wok stations;
- Floor drains or sinks into which kettles may be drained;
- Automatic hood wash units;
- Any other fixtures or drains likely to allow FOG to be discharged.

Gravity grease interceptors are intended for below-ground installation and shall be located outside of the building, preferably close to the kitchen or production/processing area where FOG may be discharged. They shall be easily accessible for servicing and inspection including access by a pumper truck, at all times. Parking, other than for emergency vehicles, shall not be allowed over any of the access manholes.

Grease removal devices (automatic hydro mechanical interceptors), as permitted, shall be located downstream of each fixture or multiple fixtures in accordance with the manufacturer's instructions. The GRD shall be sized to pretreat the measured or calculated flows for all connected fixtures or equipment. Ready access shall be provided for inspection and maintenance at all times.

7.0 Cleaning and Maintenance Requirements

7.1 GENERALLY

Grease interceptors shall be maintained in an efficient operating condition at all times, in accordance with the manufacturer's recommendations.

All grease interceptor waste shall be properly disposed of at an approved facility in accordance with federal, state, and local regulation. The FE and waste hauler shall submit to the City on its hauling manifest the final destination of the disposed waste.

Each grease interceptor when cleaned shall be fully evacuated (pumped) and secured (lids placed correctly to prevent storm water entry) following the evacuation; and shall be subject to City inspection.

Grease interceptors shall be evacuated by waste haulers certified by the City, unless Self-Cleaning approval has been sought by the FE and approved by the POTW. A certified waste hauler list shall be provided by the City.

7.1 HYDRO-MECHANICAL GREASE INTERCEPTORS ONLY, WITH SELF-CLEANING AUTHORIZATION

Self-cleaning User and/or Generators must receive approval from the POTW to remove grease from their own grease hydro-mechanical grease interceptors.

The following conditions shall apply:

- The grease interceptor is no more than 100 GPM size
- Proper on-site material disposal methods are implemented (e.g. absorb liquid into solid form and dispose into trash);
- Grease waste is placed in a leak proof, sealable container(s) located on the premises and in an area for the hauler to pump-out; and
- Detailed records are maintained and submitted to the City, per the approved manifests as available from the City.

Self-cleaning FE's must submit a completed FOG Operation and Maintenance Management Plan.

Self-cleaners must adhere to all the requirements; procedures and detailed record keeping outlined in their approved FOG Operation and Maintenance Management Plan, to ensure compliance with this program and its ordinance.

Violations incurred by Self-cleaners will be subject to enforcement action including fines and/or removal from the self-cleaner program.

7.2 CLEANING SCHEDULES

Grease interceptors shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease interceptor as designed and approved; to ensure the discharge is in compliance with local discharge limits; and to ensure no visible grease is observed in discharge.

The cleaning schedule must be recorded in the FE's completed FOG Operation and Maintenance Management Plan.

Grease interceptors shall be completely evacuated a minimum of every thirty (30) days, or more frequently when:

- twenty-five (25) percent or more of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the device to the invert of the inlet/outlet pipe of each chamber, contains floating materials, sediment, oils or greases. Each chamber shall be evaluated separately for the purposes of measurement and the requirement for evacuation; or
- the discharge exceeds BOD, TSS, FOG, pH, or other pollutant levels established by the POTW; or
- as necessary to prevent effluent from exceeding the limits per City of Dubuque Ordinance Title 13, Chapter 2 Article D (6), visible grease exiting the interceptor through the outlet pipe shall be considered a violation of the limits, or
- there is a history of non-compliance with this program, or
- the cleaning schedule as recorded by the FE in the FOG Operation and Maintenance Management Plan does not meet the conditions of this program or does not list a cleaning schedule meeting the manufacturer's or designer's recommendations.

Any FE with a grease interceptor must submit to the POTW a cleaning schedule in the FOG Operation and Maintenance Management Plan. If the proposed cleaning schedule is different than the minimum standard of every thirty (30) days it shall, in no event, exceed a maximum time between clean-outs of one-hundred eighty (180) days. All proposed schedules must be approved by the City of Dubuque.

The maximum period may be decreased based on the inspection records, and shall be subject to inspection during waste removal.

7.3 MANIFEST REQUIREMENTS

Each pump-out of a grease interceptor must be documented on a City provided manifest.

The FE and the Hauler shall maintain a record of each individual collection and deposit in the form of a manifest. The manifest shall at a minimum include:

- name, address, telephone, and POTW registration number of waste hauler;
- name, signature, address, and phone number of the person who generated the waste and the date collected;
- type and amount(s) of waste collected or transported;
- name and signature(s) of responsible person(s) collecting, transporting, and depositing the waste;
- date and place where the waste was deposited;
- identification (permit or site registration number, location, and operator) of the facility where the waste was deposited;
- name and signature of facility on-site representative acknowledging receipt of the waste and the amount of waste received;
- the volume of the grease waste received; and
- a consecutive numerical tracking number to assist transporters, waste generators, and regulating authorities in tracking the volume of grease transported.

The Hauler shall distribute completed Manifests to the following groups:

- The FE at the time of interceptor evacuation.
- The approved receiving facility
- The POTW, if not the receiving facility.
- The waste hauler, who shall retain all manifests showing the collection and disposition of waste for three (3) years.
- One copy of the manifest shall be returned by the waste hauler to the FE within 15 days after the waste is received at the disposal or processing facility. Copies of manifests returned to the FE shall be retained for three (3) years and be readily available for review by the City.

8.0 Responsibilities

8.1 CITY DEPARTMENTS

Key Department	Responsibility
W&RRC (POTW)	<ul style="list-style-type: none"> • Maintains records and manages the FOG Program, including the manifest documents(in FOG Tracking Software) • Maintains FOG Program with current Standards and Practices • Maintains and Updates the FOG Tracking System • Approves FOG Operation and Maintenance Management Plans in consult with the Building and Health Services Departments • Enforces cleaning schedule and communicates with Health Services/ Building Department/Engineering Department of any correspondence or outstanding issues • Authorized to request Inspections and Testing, in addition to routine inspections • Is an approved Grease Disposal Center • Maintains List of Certified Haulers • Provides Waste Hauler Certification training course and registers Waste Haulers.
Building Department(City)	<ul style="list-style-type: none"> • Consult to the POTW for approval of FOG Operation and Maintenance Management Plans • Reviews and Approves New and Replacement Grease Interceptor plans • Inspects New and Replacement Grease Interceptor Installations • Verifies products are on the Approved Vendor and Product List • Ensures the program reflects accurate specifications for Grease Interceptors • Provides updates into FOG Tracking System • Provides Educational Meetings and handouts to plumbers and contractors including information on Permits and Fees
Health Services (City)	<ul style="list-style-type: none"> • Consult to the POTW for approval of FOG Operation and Maintenance Management Plans • During/prior to routine inspections verifies grease collection and hauling manifests are on record with the POTW • Provides updates into FOG Tracking System • Communicates with Building Services to coordinate new, existing, and change of User and/or Generators, menu lines, or practices at the FE • Provides education to User and/or Generators on Best Management Practices for approved disposal and cleaning methods

	<ul style="list-style-type: none"> • Informs User and/or Generators of Permit and Fee requirements • Provides education on Best Management Practices at the User and/or Generator's FE
Public Works (City)	<ul style="list-style-type: none"> • Through CMOM keeps Engineering updated of new grease locations or reduction of grease related SSOs – compliance with Consent Decree
Legal (City)	<ul style="list-style-type: none"> • Ordinance • Penalties/Citations • Administrative Search Warrants
Engineering (City)	<ul style="list-style-type: none"> • Assistance as necessary to all departments • Provides FOG Inspections • Inspects FOG generating facilities

8.2 VENDORS

Product vendors shall provide the City of Dubuque's Building Department with current specifications and manufacturer's literature for the City's review.

Vendors shall provide education on the product to the FE and to City staff as necessary.

8.3 FOOD ESTABLISHMENTS

Best Management Practices must be posted at the food preparation and cooking area and are subject to enforcement and inspection.

FE's are responsible for the preparation and submittal of a FOG Operation and Maintenance Management Plan, compliance with the City of Dubuque's FOG Program and its associated ordinance(s).

FE's are responsible for scheduling waste hauling and cleaning of their grease interceptor(s) in compliance with the FOG Operation and Maintenance Management Plan

FE's are responsible for the correct disposal of waste to an approved disposal site.

FE's that are also Self-Cleaners are responsible for obtaining approval as a Self-Cleaner.

8.4. HAULERS

Waste Haulers are responsible for obtaining certification as an permitted hauler prior to hauling waste from an FE, completing manifests, and disposing of the FE's waste at the POTW or other authorized waste receiving facility. Proof of authorization is required if not the City of Dubuque POTW.

Certified Waste Haulers must have satisfactorily completed a course of training on grease interceptor cleaning offered by the POTW, if disposing of waste at the POTW.

Haulers are responsible for the accurate completion and submittal of manifests in accordance with the City of Dubuque's FOG Program.

Haulers are responsible for verifying Grease Disposal locations are approved for such waste prior to hauling and providing the FE with documentation showing such authorization to dispose of grease laden waste, if other than the City of Dubuque's POTW.

9.0 Permit and Fees

In compliance with Title 13, Chapter 2(E) (2): PERMIT, the City of Dubuque requires all FEs proposing to connect to or contribute to the POTW to obtain a FOG Discharge Permit. The permit will be issued upon receipt of a FOG Operation and Maintenance Management Plan along with a completed application for a Discharge Permit. A permit shall be valid for a period of one (1) year. The FE is responsible for annual permit renewal, which may include completion of a new application and/ or updating the FOG Operation and Maintenance Management Plan.

A Discharge Permit fee is established by the City Manager at \$100 and \$50. A reduced permit fee is for eligible FE's meeting the requirements shown on the FOG Discharge Permit Fee Chart. Renewal Permit Fees shall be determined using the same chart.

The annual permit fee shall be paid at the time of application. The application and fee are due no later than shown in Section 1.2 Implementation Schedule of this program for existing FE's, with renewals scheduled on the anniversary date from the implementation due date.

For new, renovated, or transferred ownership FE's, the annual permit fee will be due at the time of application and renewals shall be due on the anniversary date of the original Discharge Permit application.

A separate application and fee is due for each grease interceptor on a property if servicing separate sewer lines having a separate connection to the POTW.

FE's shall be subject to grease interceptor inspections. The inspection schedule shall be based on any or all the following:

- Health Services Department menu designation
- The City's documentation showing Sanitary Sewer Overflows downstream of an FE
- Historic violations of the FOG program and its ordinance
- The FE's FOG Operation and Maintenance Management Plan

Routine Inspections conducted within the approved inspection cycle shall be at no additional charge to the FE.

Subsequent inspections that are required following a Notice of Violation during the designated inspection period shall be subject to additional inspection fees. The fees are established as follows:

- 1st Re-inspection - \$50
- 2nd Re-inspection - \$100

- Additional Inspections - \$150 per visit

All fees are payable in full no later than thirty (30) calendar days following the date of the follow up inspection.

10.0 Penalties

Should the United States, the State of Iowa, and/or the City of Dubuque determine a User and/or Generator has failed to perform in accordance with this program, its ordinance, or committed an act prohibited by this program, the City will seek penalties in accordance with Section III of this Program. Enforcement of the program shall be per the City's Enforcement Plan.

The City may enter into consent orders, assurances of voluntary compliance or other similar documents establishing that an agreement has been reached with a previously noncompliant User and/or Generator. Such orders will include specific actions to be taken by the User and/or Generator to correct the noncompliance within a time period specified by the order.

10.1 ENFORCEMENT POLICY

The goal of the City of Dubuque's FOG Program is to ensure compliance with all applicable local, state, and federal regulations and avoid both private and public sector sanitary sewer overflows.

The program's primary concern in every enforcement scenario is to correct the problem that caused the violation.

Violations Resulting in Non-Compliance

1. Failure to Submit an Application for Discharge Permit.
2. Failure to Submit a FOG Operation and Maintenance Management Plan in accordance with the timeframes specified in the FOG Program.
3. Failure to Follow Manifest Requirements as stipulated in the FOG Program.
4. Failure to post Best Management Practices in accordance with the FOG Program.
5. Operation of a Food Establishment without a Grease Interceptor as defined by City of Dubuque's FOG Program beyond that timeframe required by the City.
6. Failure to install a Grease Interceptor and associated plumbing such that it does not function to prevent grease from leaving the controlling device.

7. Failure to maintain a Grease Interceptor in accordance with the FOG Program or the submitted FOG Operation and Maintenance Management Plan.
8. Falsification of Manifest data.

Description of Enforcement Response as a result of Non-Compliance

Generally, the city follows an escalating enforcement process for recurring violations. A recurring violation is one in which the same type of violation occurs during the annual (12 month) permitting period, the violation(s) occur seasonally rolling into multiple permitting periods (>12months), or any other pattern of non-compliance is shown. AFE may also be classified as a chronic violator when there are three or more unrelated violations in a calendar year.

However, the city reserves the right to use any remedy available at law to address violations.

Notice of Violation (NOV): A Notice of Violation will be issued via mail or in person and provide an immediate notice of the violation. In general, an NOV is the method the City will use to communicate the violation to the FE User/Generator. All NOV's will be in writing and maintained by the City. Issuance of a Notice of Violation may prompt the City to perform an inspection or a re-inspection.

Issuance of a Municipal Infraction: Any employee authorized by the city manager may issue a municipal infraction. A municipal infraction will be issued upon omission or failure to perform any act or duty required by the City of Dubuque code and its FOG Program. Recurrent Notice of Violations within the same permit period will be subject to repeat municipal infractions. Issuance of a citation may result from escalating or repeated enforcement action for a violation when a User/Generator fails to respond to previous enforcement actions.

Termination or Suspension of Service: If a violation of any provision of the FOG Program or city code is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution or nuisance, and when deemed necessary by the City Manager for the preservation of public health or safety or for the protection of public or private property, he may suspend sewer service to any person or persons using the POTW in a manner or way to endanger the public health or safety, or public or private property. In suspending service he may sever all pertinent connections to the public sewer. If such endangerment is imminent, then the City Manager may act immediately to suspend sewer service without notice or warning to said person or persons.

Referral to the Environmental Protection Agency and/or the Department of Natural Resources: For violations that may warrant criminal prosecution, the City of Dubuque will refer the case to the EPA or the State for further action. Referring such cases to the EPA or the State does not preclude the City from taking an administrative or civil enforcement action.

Timeframes for Enforcement Response and Corrective Action

For violations a Notice of Violation will be presented at the time of inspection, if applicable. For violations occurring from failure to submit documentation including Discharge Permits and subsequent renewals, a Notice of Violation will be sent via the United States Postal Service. Corrective action is required within seven (7) calendar days of the date of the NOV. Penalties are listed on the City of Dubuque's FOG Program Violation Schedule of Penalties.

For the following violations, enforcement and corrective actions are:

Operation of a Food Establishment without a Grease Interceptor – Initial communication will be via Notice of Violation or municipal infraction alerting the FE of the violation. A corrective action plan stipulating the installation date of a grease interceptor as defined by the FOG Program must be submitted to the City within seven (7) calendar days of the date of the notice. Failure to submit a corrective action plan within the notification period will prompt the City to pursue escalating enforcement.

Incorrect installation of a Grease Interceptor and associated plumbing

Existing FE: Initial communication will be via Notice of Violation alerting the FE of the violation. A corrective action plan will be due within seven (7) calendar days of the date of the notice. Failure to submit a corrective action plan within the notification period will prompt the City to issue a municipal infraction, and as necessary pursue escalating enforcement.

New Construction: For new construction, the Grease Interceptor and associated plumbing must be corrected prior to issuance of a Food License. Failure to submit a corrective action plan within the notification period will prompt the City to issue a municipal infraction, and as necessary pursue escalating enforcement.

Failure to maintain a Grease Interceptor in accordance with the FOG Program or the submitted FOG Operation and Maintenance Management Plan - Initial communication will be via Notice of Violation or municipal infraction alerting the FE of the violation at the time of inspection. Corrective action must be taken within forty-eight

(48) hours of issuance of the violation. Failure to take corrective action within the notification period will prompt the City to pursue escalating enforcement.

Falsification of Manifest data – the FE will be issued a Notice of Violation or municipal infraction and accurate manifest data must be submitted within forty-eight (48) hours of receipt of the notice. Failure to submit the correct manifest data within the notification period will prompt the City to pursue escalating enforcement.

