

ORDINANCE NO. 1331

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON, TEXAS, AMENDING THE PLEASANTON CITY CODE, CHAPTER 10, SECTION 6(M) TO BETTER REGULATE GREASE AND GRIT TRAP WASTE; LIMIT THE CONCENTRATION OF PERMITTED DISCHARGE OF FATS, OILS AND GREASES OF ANIMAL OR VEGETABLE ORIGIN; PROHIBIT THE DISCHARGE OF PETROLEUM BASED OIL AND GREASE WASTES AND INORGANIC SOLIDS; REQUIRE GREASE TRAPS FOR COMMERCIAL FOOD PREPARATION ESTABLISHMENTS; REQUIRE GRIT TRAPS FOR PRODUCERS OF PETROLEUM BASED OIL AND GREASE WASTE AND INORGANIC SOLIDS; ADD APPLICABLE FEES AND PENALTY FOR VIOLATION; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the current City Code does not specifically require grease traps for all commercial food preparation establishments or grit traps for producers of petroleum based oil and grease waste and inorganic solids; and

WHEREAS, the current City Code has proven ineffective at preventing grease, fats, oil, sand and other inorganic solids into the City's sanitary sewer system, resulting in clogged sewer mains, sewage spills and scrutiny by state and federal agencies;

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

Section 1. The Pleasanton City Code, Chapter 10, Section 6(M) is hereby amended to remove the existing section and add the following:

(1) Definitions:

Biochemical Oxygen Demand ("BOD") - the quantity of oxygen utilized in the biochemical oxidation of organic matter under the standard laboratory procedures for five days at 20 degrees centigrade, usually expressed as a concentration of milligrams per liter ("mg/l").

Commercial Grease Generator – every food preparation and food services establishment including, but not limited to, bakeries, bars, butcher shops, cafes, clubhouses, delicatessens, ice cream parlors, hospitals, hotels, restaurants, schools or similar places where meat, poultry, seafood, dairy products or fried

foods are prepared or served, but shall not apply to any residence not used for the commercial preparation or sale of food items.

Commercial/Industrial Grit Generator – every commercial or industrial generator of liquid waste containing petroleum based oil and grease wastes, and/or inorganic solids including, but not limited to, automotive or heavy machinery repair and/or washing facilities.

Director – the director of the Wastewater Treatment Plant of the City of Pleasanton or his authorized representative, which may include a person from any City department.

Fat, Oil and Grease (FOG) – a semi-solid viscous liquid organic polar compound 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 Code of Federal Regulations (CFR) Part 136, as may be amended.

Generator – a person who causes, creates, generates, stores or otherwise produces liquid waste or owns property upon which liquid waste is caused, created, generated, stored or produced including, but not limit to, grease trap waste as a by-product of a domestic or non-domestic activity other than merely as a result of mere residence at a non-business location.

Grease or Grit Generator – a commercial grease generator or a commercial/industrial grit generator as defined herein.

Grease Trap – a receptacle utilized by commercial or industrial generators of liquid waste to intercept, collect and restrict the passage of organic, inorganic, greasy or fatty liquid, semi-liquid and/or solid wastes into both public and private sanitary sewers to which the receptacle is directly or indirectly connected.

Grease Trap Waste – any organic, inorganic, greasy or fatty liquid, semi-liquid and/or solid waste collected by and ultimately removed from a grease trap for proper disposal.

Grit Trap – a receptacle utilized by commercial and industrial generators of liquid waste to intercept, collect and restrict the passage of petroleum-based oil and grease waste and inorganic or other solids into public and private sanitary sewers to which the receptacle is directly or indirectly connected.

Grit Trap Waste – oil and grease wastes and inorganic solids generated by commercial, industrial, automotive or heavy machinery repair and/or washing facilities that are collected by and ultimately removed from a grit trap for disposal.

Liquid Waste – water-borne solids and liquids containing dissolved or suspended waste material including, but not limited to, septic waste and wastes from grease traps and grit traps.

Manifest – the written, multi-part documentation required to be in the possession of the transporter enabling disposal of hauled grit trap waste, grease trap waste or septic waste at a permitted or registered disposal site.

Plumbing Changes – the installation, replacement or removal of drainage piping or water supply piping.

Sanitary Sewer – a system of pipes, conduit and treatment facilities owned or operated by the City of Pleasanton which collects, transports and treats sanitary sewage, and which storm, surface and ground waters are not intentionally or normally admitted.

Septic Waste – liquid wastes and sludge containing sufficient liquid content, normally more than 85%, to permit flow by gravity or minimal pumping, which is removed from a portable toilet, chemical toilet, septic tank or cesspool. Septic waste does not include non-domestic wastes from commercial or industrial establishments.

Serve – (1) to personally serve upon the grease or grit generator or his agent; (2) to send by registered or certified mail, return receipt requested, to the grease or grit generator or his agent, allowing at least five days for said mail to be retrieved by the recipient, at the address at which the grease or grit generator receives his utility bill for the location of the alleged discharge; or (3) to place a written notice upon an entrance to the location where the alleged discharge is occurring or has occurred.

Total Suspended Solids ("TSS") – the total suspended matter that floats on the surface of or is suspended in water, wastewater or other liquid and which is removable by laboratory filtering.

(2) Prohibited Discharges:

It shall be unlawful for a commercial grease generator or commercial/industrial grit generator to introduce or cause to be introduced into a public sanitary sewer the following:

- (a) fats, oils or grease of animal or vegetable origin, TSS, BOD in concentrations greater than 200 milligrams per liter of water; or
- (b) petroleum based oil and grease wastes and inorganic solids generated by commercial, industrial, automotive or heavy machinery repair and/or washing facilities.

(3) Strict Liability for Generators of Grease and Grit:

This ordinance imposes strict liability; a culpable mental state is not required to impose liability under this section.

(4) Grease and Grit Traps Required:

- (a) Commercial Grease Generators: All commercial grease generators shall discharge all wastes from sinks, dishwashers, and drains into an approved and properly maintained and functioning grease trap before entering the sanitary sewer drain. Such grease trap shall be inspected, cleaned and repaired regularly by the commercial/industrial grit generator at his expense.
- (b) Commercial/Industrial Grit Generators: All commercial or industrial grit generators shall discharge all grit trap wastes into an approved and properly maintained and functioning grip trap before entering the sanitary sewer drain. Such grit trap shall be inspected, cleaned and repaired regularly by the commercial/industrial grit generator at his expense.

(5) Construction of Grease and Grit Traps and Sample Port:

- (a) The construction requirements of this section shall apply to all new construction, expansions and improvements involving plumbing changes, changes in ownership or occupancy, or otherwise in compliance with a determination of the Director. In addition to new construction, expansions and improvements, all grease or grit generators shall construct sample ports in accordance with a schedule filed by the Director with the City Secretary.
- (b) Grease traps shall be constructed to prevent fats, oils or greases of animal or vegetable (FOG) origin from entering the sanitary sewer in concentrations greater than 200 milligrams per liter. Grit traps shall be constructed to prevent petroleum based oil and grease wastes and inorganic or other solids from entering the sanitary sewer. The size, type and location of each grease or grip trap must be approved by the Director prior to any discharge therein. Exhibit A attached shows a typical grease trap and Exhibit B shows the minimum grease trap size requirements, to be finally determined and approved by the Director.
- (c) A commercial grease or grit generator shall install grease or grit traps so that they are easily accessible for cleaning and as close as possible to the source of production.

- (d) A grease or grit generator shall install a sample port for ease in sampling the waste stream as close as possible to the connection with the City sanitary sewer main within the bounds of the facility property. The port shall be installed and maintained at the user's expense. The port shall be installed perpendicular to the effluent flow to allow visual observation and sampling. The port shall be accessible for monitoring authorities. Exhibit C attached shows the specifications for a sample port and Exhibit D lists the sample port policy for the City of Pleasanton.
 - (e) If the Director determines a need for installation or upgrade of sample ports, grease traps or grit traps on an existing establishment, the Director can order the installation or upgrade of such on that existing establishment. If the Director orders such installation, then he shall serve notice of such order upon the grease or grit generator. After receiving notice of the order to install or upgrade ports or traps on an existing establishment, it shall be unlawful for a grease or grit generator to allow or cause any discharge into the sanitary sewer not in compliance with such order.
 - (f) A grease or grit generator with a water connection for cooling or operating a grease or grit trap shall protect it with a cross connection device approved by the Director prior to installation.
 - (g) Construction of items listed herein or in accordance with the Director's specifications shall not constitute a defense to unlawful discharge and shall not limit the grease or grit generator's liability for any surcharge stated in this section.
 - (h) A grease or grit generator shall be liable for an administrative fee as established herein if a required report is submitted after the date set for submittal in this ordinance.
- (6) Maintenance of Grease and Grit Traps:
- (a) A grease or grit generator shall have traps serviced as frequently as necessary to prevent bypass or overflow, and to insure property operation of the trap. Such generators shall, at a minimum, have grease and/or grit traps serviced quarterly or as otherwise approved in advance in writing by the Director.
 - (b) A grease or grit generator shall cause the liquid waste hauler to completely evacuate all grease and/or grit traps and other interceptors during servicing. It shall be unlawful for a grease or grit generator to allow in the servicing of his trap the discharge of liquid,

semi-solids, or solids to be discharged back into a grease or grit trap after servicing.

- (c) A grease or grit generator shall sign the manifest presented by the waste transporter and shall keep the receipt for a period of three years. Receipts shall be maintained at the facility for inspection by the Director upon request.
- (d) It shall be unlawful for a grease or grit generator to allow grease or grit trap waste to be removed from his premises by a transporter who does not have an applicable state or federal permit or registration to transport said waste.
- (e) A grease or grit generator who is required to install a cross connection control assembly shall test it upon installation and then annually by a licensed inspector and forward the results to the Director no later than ten days following the completion of such test.
- (f) It shall be unlawful for any commercial grease generator to allow any food grinders, garbage disposers, or frying vats to discharge into a grease trap.
- (g) A grease or grit generator shall properly monitor and maintain the collection point, so that wastewater samples taken from the collection point are representative of wastewater leaving the grease or grit trap.
- (h) It shall be unlawful for a grease or grit generator to divert sewage around a collection point into the sanitary sewer.
- (i) If the Director finds that a change in pumpage or servicing of a grease or grit trap is necessary for an establishment to meet the discharge limits stated in this section, the Director may order a change in pumpage or servicing of a grease or grit trap. After receiving notice of an order by the Director to change the frequency and/or methods of pumpage or servicing, it shall be unlawful for a grease or grit generator to allow or cause any discharge into the sanitary sewer not in compliance with such order.

(7) Reports and Monitoring:

- (a) Analytical requirements consist of all pollutant analyses or reports, including sampling techniques, to be submitted under this section, shall be performed in accordance with the approved testing procedures prescribed in 40 CFR, Part 136, Tables IB and II (Code of Federal Regulations).

- (b) All grease or grit generator shall, at a frequency and time determined by the Director, but in no case less than once a year, submit to the Director (1) reports indicating the concentration of fats, oils, and greases or grit trap or sanitary sewer, and (2) copies of all manifest made by liquid waste transporters servicing their grease/grit trap during the reporting period.
 - (c) A grease or grit generator shall immediately report to the Director discharge, spills or accidents involving a grease or grit trap or the sanitary sewer, which pose a threat to the public health or potential damage to the environment.
 - (d) A grease or grit generator shall recover all accidental spill and discharges immediately and have such waste disposed of by a transporter holding valid license or registration from the appropriate state or federal authority.
 - (e) The Director may randomly sample and analyze the effluent from a grease or grit generator and conduct surveillance activities to determine compliance with this ordinance.
 - (f) It shall be unlawful for a grease or grit generator to refuse to allow the Director to enter their premises during business hours to determine whether the use is complying with all of the requirements of these sections. A grease or grit generator shall allow the Director access to all parts of the premises for purposes of inspection, sampling, records examination and copying, and the performance of additional duties. Failure to allow the Director access as provided herein shall make the generator liable for additional inspection fees as described herein or by separate ordinance.
 - (g) If the Director has been refused access to the building, structure or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this section, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this section or any permit or order issued hereunder, to protect the overall public health, safety welfare of the community or to protect the wastewater collection and treatment system, then the Director may seek issuance of a search warrant from any court of competent jurisdiction.
- (8) Monitoring and Surcharges for BOD/TSS Concentrations:
- (a) All grease or grit generators shall, at a frequency determined by the Director, but in no case less than once per year, at a time determined

by the Director, submit to the Director reports of BOD/TSS concentrations indicating the Biochemical Oxygen Demand ("BOD") concentrations and Total Suspended Solids ("TSS") concentrations in their discharges, into the public sanitary sewer.

- (b) All wastewater samples must be representative of the generator's discharge.

(9) Enforcement:

- (a) If the Director has cause to believe that a grease or grit generator has violated or continues to violate any provisions of this section, the Director may serve upon that user a written notice of violation, including emergency actions, requesting criminal charges be filed against the violator or any other enforcement action.
- (b) The Director may suspend a grease or grit generator sewer service if he finds that such suspension is necessary to stop an actual or threatened discharge, which presents a reasonable risk of danger to the health of any person, the wastewater collection or treatment system. The Director may also immediately suspend a grease or grit generator's City utility service that imminently threatens to interfere with the operation of the publicly owned collection or treatment system, of which presents, or may present, an imminent danger to the health of any person or the environment.
- (c) It shall be unlawful for a grease or grit generator who has been notified of a suspension of its City utility service to discharge any waste in violation of a suspension of its City utility service issued by the Director. In the event of a grease or grit generator's failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary including immediate severance of the sewer connection to prevent or minimize damage to the wastewater collection or treatment system, the health of any person or the environment.
- (d) A grease or grit generator who violates any provisions of this section shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$2,000.00 per violation, per day.
- (e) A grease or grit generator who knowingly makes any false statements, representation or certifications in any application, record, report, plan or other documentation field required to be maintained, pursuant to this section, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this section shall, upon conviction, be punishable by a fine of not more than \$2,000.00 per violation, per day.

(f) The remedies provided for in this section are not exclusive. The Director may take any legally authorized actions against a noncompliant grease or grit generator.

(10) Miscellaneous Fees for Grease and Grit Generators

Late submittal of report, per report	\$ 10.00
Plus \$5.00 per day the report is late	
General inspection fee for generators, per inspection	50.00
Surcharge fee for generators, per sample violation	100.00

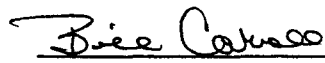
Section 2. Penalty for Violation: Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined any sum not to exceed \$2,000.00 as provided in the City Code.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Severability: If any provision of this ordinance, of the application thereof to any person or circumstances shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

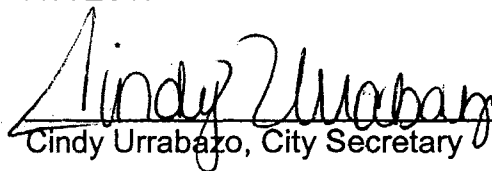
Section 5. Effective Date: The provisions of this ordinance shall become effective ten days after final passage and approval by the City Council of the City of Pleasanton, Texas.

PASSED, ADOPTED and APPROVED this the 20th day of March, 2008.



Bill Carroll, Mayor

ATTEST:



Cindy Urrabazo, City Secretary

Basic In ground Grease Trap Design

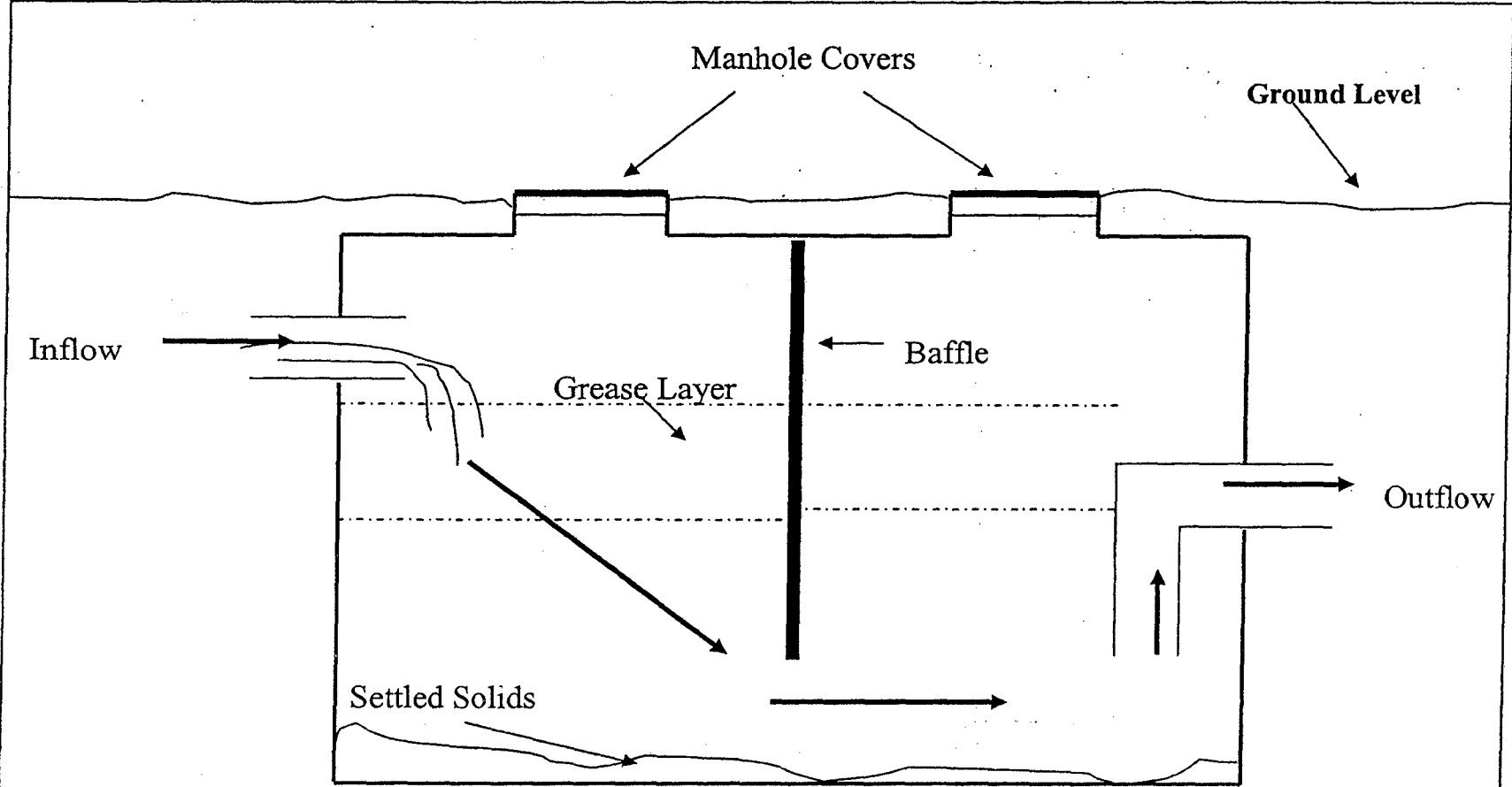


EXHIBIT A

Grease Trap Size Requirements

Facility Name: _____

Address: _____

When counting the number of fixtures at a site, it is important to note that only those fixtures that are in use-or could be in use in the food preparation and clean up area are counted . Example a restroom sink would not be counted.

<u>Description</u>	<u>QTY</u>		<u>Fixture units each</u>	=	<u>Fixture units</u>
1, 2,3, Compartment Sink	_____	x	3	=	_____
Dishwasher	_____	x	6	=	_____
Floor Drains	_____	x	3	=	_____
Floor sinks	_____	x	3	=	_____
Garbage Grinder	_____	x	4	=	_____
Wokstove	_____	x	4	=	_____
Total Units					_____

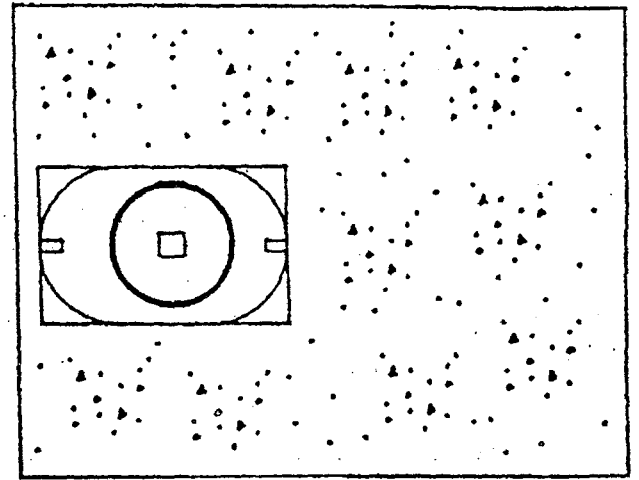
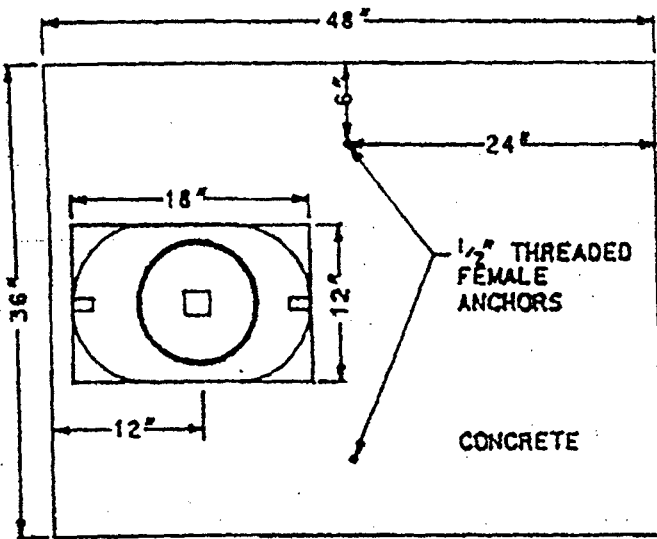
Total Units _____ X 7.5 GPM X 12 Minutes Retention time = _____ gallons

Example: 2 sinks = 6 units
 2 floor drains = 12 units
 Total units 18 units

18 X 7.5 X 12 = 1620 gallons

The minimum size grease trap needed would be 1620 gallons.
 Due to the fact 1620 gallon traps are not readily available the minimum size would be adjusted by the City to the actual size needed after taking all factors into consideration. Remember this is an approximation—the final size will be determined and approved by the Director of the Wastewater Treatment Plant.

CITY OF PLEASANTON SPECIFICATIONS

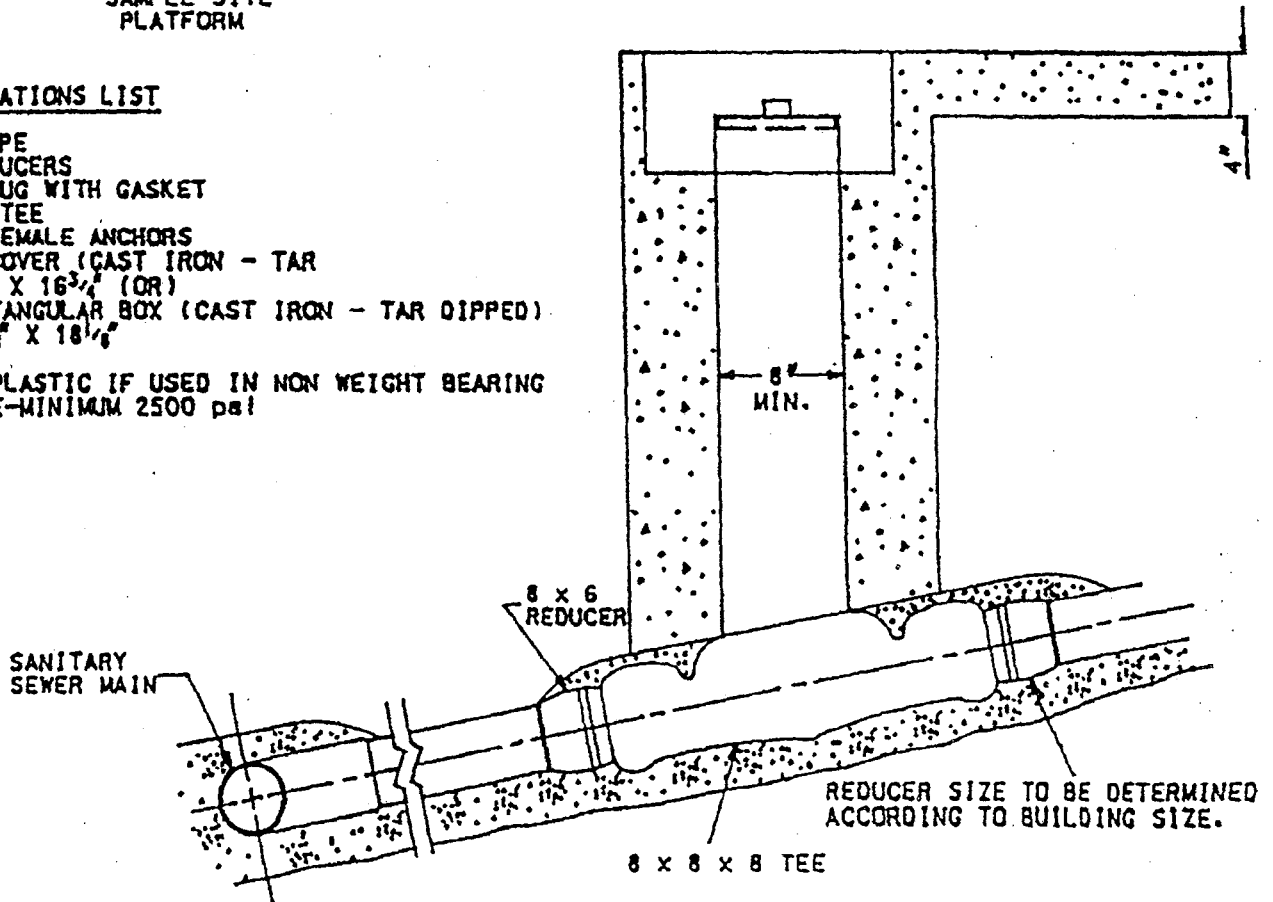


SAMPLE SITE
PLATFORM

MATERIAL SPECIFICATIONS LIST

- 1-8" PVC SEWER PIPE
- 2-8" X 6" PVC REDUCERS
- 1-8" PVC SEWER PLUG WITH GASKET
- 1-8" X 8" X 8" PVC TEE
- 2-1/2" THREADED FEMALE ANCHORS
- 1-OVAL BOX WITH COVER (CAST IRON - TAR DIPPED) 10 1/4" X 16 3/4" (OR)
- 1- CAST IRON RECTANGULAR BOX (CAST IRON - TAR DIPPED) WITH LOCK 12 1/4" X 18 1/4"

BOXES MAY BE PLASTIC IF USED IN NON WEIGHT BEARING AREAS CONCRETE-MINIMUM 2500 psi



SAMPLE PORT

SAMPLE PORT POLICY

The City Code of the City of Pleasanton, Industrial Sewer Regulation Ordinance Section 6 M(5) (d) provides authorization to the City that it may require any person discharging or proposing to discharge industrial/commercial wastes to the sanitary sewer to install and maintain in a safe and proper operating order, at the sole expense of the user, sampling and monitoring equipment of a size, type, character and specification as the Building Inspections Department shall determine appropriate for the discharge, operations, and facilities of such user. City Ordinance No. 1331 regulating the oil and grease discharges requires that the user shall install a sample port for all new construction, expansions, and improvements involving plumbing changes, change in ownership, or change in occupancy, or otherwise in compliance with a determination of the Director. The user is required to furnish detailed plumbing plans and other information as required for the City's review.

MINIMUM REQUIREMENTS

1. The port shall be located at a place approved by the Director at or near the property line and 24 hour access shall be provided;
2. The port shall intersect the common building drain line prior to the connection with the City's sanitary sewer;
3. If the facility has more than one drain line connected to the City's sanitary sewer, a sampling port shall be located on each drain line;
4. Sampling ports shall be constructed at the expense of the person discharging or proposing to discharge to the sanitary sewer;
5. Plans for sample ports will be provided by the Building Inspections Department and their location **shall be reviewed and approved prior the commencement of construction.**
6. New commercial construction that will, or has the potential to produce industrial/commercial flows will be required to install a sample port at time of construction;
7. Sampling ports shall be maintained at all times in a safe and proper operating condition;
8. Sampling ports should provide a measure of security from unauthorized entry; Locking lids are recommended. The Building Inspections Department shall be furnished items necessary for unlocking lids where applicable.
9. Safety of personnel should be considered when selecting the location of the ports, so as not to expose them to unnecessary hazards.
10. The port shall be protected from storm water contamination.
11. Sample ports **may not** be placed in traffic lanes without prior approval from the Building Inspections Department
12. The Wastewater Department will need to be called to do a final inspection of the port following construction. This is in addition to the inspection performed by the Building Inspections Department.

CITY OF PLEASANTON

"Birthplace of the Cowboy"

Publication Dates: March 26 and April 2, 2008 in Legal Notices

NOTICE TO PUBLIC

The Pleasanton City Council adopted Ordinance No. 1331 at the Regular Session of March 20, 2008. The caption of the ordinance is shown below:

An ordinance of the City Council of the City of Pleasanton, Texas, amending the Pleasanton City Code, Chapter 10, Section 6(M) to better regulate grease and grit trap waste; limit the concentration of permitted discharge of fats, oil and greases of animal or vegetable origin; prohibit the discharge of petroleum based oil and grease wastes and inorganic solids; require grease traps for commercial food preparation establishments; require grit traps for producers of petroleum based oil and grease waste and inorganic solids; add applicable fees and penalty for violation; repealing all conflicting ordinances; providing for severability; providing for a savings clause; and declaring an effective date.

Because the current City Code has proven ineffective at preventing grease, fats, oil, sand and other inorganic solids into the City's sanitary sewer system, resulting in clogged sewer mains, sewage spills and scrutiny by state and federal agencies, Chapter 10, Section 6(M) of that Code is hereby amended.

This ordinance is available for inspection at the City Hall during regular business hours.

Cindy Urrabazo
City Secretary