

AN ORDINANCE ENACTING AMENDMENTS TO CHAPTER 23, THE SEWER USE ORDINANCE REGARDING THE REMOVAL OF FAT, OIL, AND GREASE

WHEREAS it is well-documented that releases of fat, oil, and grease into the sewer system cause blockages of the sewer lines, increase the need for and cost associated with line maintenance, and impede sewage treatment at the wastewater plant;

WHEREAS because of recent changes in State law, the City of Durham faces greater penalties for blocked sewer lines and inadequate maintenance of such lines than it previously faced;

NOW, THEREFORE, the City Council of the City of Durham hereby enacts the following:

SECTION I:

Chapter 23, Article IV, Sec. 23-98 of the Durham City Code is amended by deleting the section as it now reads and replacing it with the following amended language:

"Sec. 23-98. Fat, Oil, Grease and Sand Removal Systems.

(a). When Removal Systems are Required

On or before March 1, 2001, certain establishments that prepare, process, or serve food shall install a removal system meeting approved standards that removes and collects fat, oil, and grease from wastewater and shall establish acceptable standard operating procedures for grease disposal. Such establishments include but are not limited to grocery stores, restaurants, bakeries, and companies, schools, and institutions with on-site cafeterias. Establishments that must meet this requirement include all new establishments, all existing establishments with a monthly average water consumption greater than 1500 cubic feet, and establishments which monitoring has shown discharge more than 250 mg/liter of fat, oil, or grease. The Director shall promulgate guidelines that implement this Section 23-98. These guidelines may, among other things, further define and categorize those establishments covered by this requirement, and distinguish amongst them; specify the types of removal systems the various categories of establishments must install and the specifications of such systems; establish cleaning schedules for various types of removal systems and frequency of removal of the fat, oil, and grease from the establishment. Other users that generate sand, oil and grease such as car washes, and automotive and machine shops shall install sand, oil, and grease removal systems when the Director notifies the user of the need for such system or when it is required by the Plumbing Code.

(b). Prohibited Discharges into the Fat, Oil and Grease Removal System.

The following shall not be discharged into the fat, oil, and grease removal system:

- 1) Waste that does not contain fat, oil, grease, and that otherwise does not require treatment;
- 2) Wastewater from dish washing machines or wastewater with temperature exceeding 150° F;
- 3) Ground residue from food waste grinders and garbage disposals;
- 4) Sanitary waste;
- 5) Emulsifiers, chemicals, and enzymes.

(c). Maintenance and Cleaning of System; Maintenance of Records

All users with removal systems shall clean such systems in accordance with the Director's guidelines. Such users shall maintain cleaning records on site showing the date and time of cleaning and person doing the cleaning for a period of three years.

(d). Collection of Fat, Oil, and Grease; Maintenance of Records

All users with removal systems shall contract for the removal of the fat, oil, and grease collected from the removal system. The contract shall be available on site for inspection by the City. The user shall require the contractor to complete a form provided by the City indicating the ultimate disposition of the fat, oil, and grease collected -- e.g., the disposal destination, such as a named landfill, of the removed substances and whether the fat, oil, and grease are being reprocessed or rendered. The user shall also require the contractor to indicate on a form, which, if it is not the City's form, shall be acceptable to the City, each collection made from the user. Required forms shall be maintained on site for a period of three years.

(e) Monitoring of Discharge

The Director or designee may require that any user monitor and test their discharge for fat, oil, grease, and/or sand in such a manner and with such methods as are specified by the Director. All monitoring results shall be shared with the City. In addition, as a condition of discharging to the system, all users may be monitored by the city without prior notice.

(f) Exceptions

The Director is authorized to vary application and enforcement of this section in cases where establishments existing prior to March 1, 2001 cannot site outside removal systems without extreme hardship because of lack of available adjacent land or other similar circumstances.

SECTION 2:

Any sections of the City Code that are in conflict with this amendment are hereby superceded.

SECTION 3

This amendment shall be effective upon passage.