

City of Westfield Board of Health Regulation of Fats, Oils, and Grease Management

I. Purpose

The purpose of this Regulation is to protect residents, businesses and the environment within the City of Westfield from blockages of the cities sanitary sewer system caused by Fats, Oils, and Grease (FOG) discharged from food service establishments in Westfield. All new and existing facilities that generate and discharge FOG in the wastewater flow shall install, operate, and maintain a FOG pretreatment system, as further defined herein. The requirements of this Regulation shall supplement, and be in addition to, the requirements of City Ordinance, Chapter 260, Massachusetts State Plumbing Code and the Massachusetts State Sanitary Code.

II. Authority

This regulation is promulgated to the authority granted to the Westfield Board of Health, pursuant to M.G.L Chapter 111, Section 31, that "Boards of Health may make reasonable health regulations".

III. Definitions

For the purpose of this regulation, the following words shall have the following meanings:

248 CMR: Massachusetts State Plumbing Code Regulation.

Agent: A duly authorized agent of the Westfield Health Department, Public Works and/or Building Department.

Best Management Practices (BMP'S): Schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the introduction of FOG to the sewer facilities.

Board: The Board of Health of the City of Westfield.

Department: The City of Westfield Health Department.

Discharge Limit: The maximum amount of FOG discharge shall not exceed 200 milligrams per liter (mg/l) of wastewater.

Food Service Establishment: Any facility issued a food service establishment permit by the Westfield Health Department or any facility that prepares or sells food and as a byproduct, discharges FOG into the municipal sewer system.

Fats, Oil & Grease (FOG): Any substance (either liquid or solid) such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.

FOG Pretreatment System: Refers to one of the following grease removal systems:

1. Indoor Automatic Grease Trap
2. Indoor Passive Grease Trap
3. Outdoor/Underground Grease Interceptor

Food Grinder: Any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing of it in the sewer system.

Grease Trap/Interceptor: A device, pursuant to 248 CMR, which is designed to remove undissolved and/or suspended FOG from wastewater.

Indoor Automatic Grease Trap: An active automatic grease trap which separates and removes FOG from effluent discharge and cleans itself of accumulated FOG at least once every twenty-four hour utilizing: (1) an electromechanical apparatus to accomplish removal, or (2) an approved automatic bioremediation grease control mechanism that suppresses or limits the formation of accumulated FOG through application of indigenous microbial nutrients.

Indoor Passive Grease Trap: A passive grease trap installed inside a building designed to remove FOG from flowing wastewater while allowing wastewater to flow through it. Also, known as an indoor grease trap fitted with an approved automatic bioremediation grease control system that suppresses or limits the formation of accumulated FOG through application of indigenous microbial nutrients.

Outdoor/Underground Grease Interceptor: A passive grease trap installed outside a building (having a capacity of 1,500 Gallons or more) designed to remove FOG from flowing wastewater while allowing wastewater to flow through it. Also, known as an outside grease trap fitted with an approved automatic bioremediation grease control system that suppresses or limits the formation of accumulated FOG through application of indigenous microbial nutrients.

Permitted Offal/Septage Hauler: A hauler of offal/septage substance who is licensed by the Westfield Health Department or the Westfield Department of Public Works.

Sewer Pipe: Any City sanitary sewer piping, including but not limited to interior and exterior building sanitary sewer piping, or any main or lateral sanitary sewer piping, regardless whether such piping is located on private or municipal land.

Substantial Renovations: Any renovation to a Food Establishment that would increase the number of permitted seating capacity or would alter in any way the kitchen facility.

IV. Provisions/Practice

A. In every case where a food establishment is preparing or selling food, or other business in which FOG is a byproduct, a suitable FOG pretreatment system conforms to the Massachusetts State Uniform Plumbing Code 248 CMR10.09(2) must be installed according to this regulation.

B. the Board of Health may at any time require the installation. Upgrade, and/or relocation of a FOG pretreatment system, as it may deem necessary to maintain any particular building sewer pipe. Any lateral sewer pipe. Or sewer main pipe free from obstructions caused by waste grease or oil emanating from a food systems.

C. New or substantially renovated or remodeled food establishments must install an Outdoor/Underground Grease Interceptor, with a minimum 1500 gallon capacity, or an Indoor Automatic Grease Trap. Both must be sized according to the manufacturer and in compliance with 248 CMR and this regulation.

D. Indoor Automatic and Passive Grease Traps must be cleaned 4 times per year (unless a variance is given by the Board of Health).

E. Outdoor/Underground Grease Interceptors must be pumped and inspected by a permitted off/septage hauler every three months or more frequently as to prevent any grease blockage.

F. A copy of the Board of Health Grease Trap Maintenance Log must be completed and kept onsite for any operation/maintenance to FOG pretreatment systems. The log must be readily accessible for Westfield Officials to review.

G. All pumping and hauling records must be maintained on a monthly basis and be readily accessible to the Westfield Official.

H. Waste grease and oil shall not be disposed through use of the City's Sanitary Sewer System. All waste grease and oil must be collected in an appropriate container provided by an approved vendor and stored in an approved location on the premise. The container must be stored on an impervious surface such as concrete, or pavement. Containers must be capable of being sealed or be stored in a sheltered area to prevent entry of precipitation and vermin. All waste grease and oil shall be removed by a permitted offal/septage hauler; said material should be removed from the premises as needed. While being stored, all grease containers and surrounding areas must be kept in sanitary conditions at all times.

I. All automatic electrical/mechanical grease removal units shall be sized in accordance with the manufacturer's written recommendations and be in compliance with 248 CMR and this regulation.

J. A separate suitable sampling location as approved by the Board of Health or its Agent or designee shall be provided for sampling the discharge from any indoor passive or automatic

system. The sampling valve must be installed on the discharge piping with a minimum clearance of eight (8) inches to allow to be taken by an Agent and/or Westfield Officials.

K. Dishwasher wastewater must discharge into the grease trap per 248 CMR 10.09(2) (c) (5).

L. Food waste grinders must comply with the requirements of 248 CMR 10.09(2) (F) (3).

M. All connections to the grease removal unit shall be equipped with a Flow Control Device. Flow Control Devices must conform with 248 CMR 10.09(2) (I).

V. Prohibitions

1. Sink water temperatures shall not exceed 140 degrees Fahrenheit
2. The use of emulsifying agents such as solvents, acids and caustics, and other toxic and or hazardous chemicals, and petroleum products known to have uses as a declogger or degreaser is prohibited.
3. The use of bacterial or enzymatic treatments to improve discharge flow is prohibited.

VI. Inspections

The Westfield Health Department or designated agent(s) will conduct routine inspections to ensure conformance of this regulation.

1. Cleaning and maintenance records for all FOG removal and treatment systems shall be part of regular inspection of a Food Service Establishment. A Food Service Establishment inspection may be unannounced but occur during regular business hours.
2. Upon routine inspection conducted by the Department, the owner or person in charge of the food service establishment is responsible for having all grease traps and/or interceptors open for visual inspection.
3. Records pertaining to removal and treatment of FOG, as set forth below, shall be maintained by the business owner or operator within the premise of the food establishment for no less than two years. Upon request, the owner or operator shall furnish all records required to enforce and monitor compliance with this regulation.
 - a. A grease trap maintenance log shall be kept onsite and properly maintained relative to the operation/maintenance of any FOG Pretreatment System. This log shall be readily accessible for review by the Department or designee.
 - b. All pumping and hauling records shall be properly maintained on a regular basis and readily accessible for review by the Department or designee.

- c. Each grease trap and/or interceptor shall have its own individual maintenance log.

VII. Variances

A request to vary from the Westfield Board of Health Fats, Oil and Grease Regulation shall be submitted in writing to the Board of Health stating reason for the reasons for the request. The BOH may consult the Westfield Sewer Department for the granting of variances -

1. The BOH may grant a variance from the requirements of this Regulation for:
 - a. Operation and maintenance (O&M) frequencies. Any application for an O&M variance must be accompanied by a written letter from the Food Establishment's O&M contractor and system provider;
 - b. The type of FOG Pretreatment System required, or
 - c. The imposed time frame for correcting a violation
2. Any request for a variance for a Food Establishment to use an alternative method, system or product that does not comply with 248 CMR 3.00 through 10.00 must additionally apply, and receive in advance, a variance from the State Board for Plumbers and Gas Fitters pursuant to 248 CMR 3.04(2).
3. Financial hardship is not in itself proper grounds for a variance or waiver request.

VIII. Violations

1. Written notice of a violation of this Regulation shall be given to the owner the permitted Food Service Establishment by a City Agent, specifying the nature of the violation, time, date of the violation, any preventive measures required to avoid future violations, and the time frame for completing any necessary corrections.
2. Any person that violates any provision of this Regulation may be fined or sanctioned, under Chapter 1 1 1 Section 31 of the Massachusetts General Laws as a civil offense. Sanctions may include the following:

First Offense:	Written warning
Second Offense:	\$100.00 fine
Third Offense:	\$250.00 fine
Fourth Offense:	\$500.00 fine

Each day or portion thereof during which a violation continues may constitute a separate offense.

3. The Board of Health may additionally order the immediate suspension or revocation of a Food Service Establishment permit for any the following reasons:
 - a. Any violation of this Regulation deemed to be of a serious nature;

- b. Repeated violations of this Regulation;
- c. Interference with an authorized agent in the performance of his or her duty pursuant to this Regulation;
- d. Failure of a permit holder to comply with a written directive relative to this Regulation;
- e. Failure to adequately maintain required records or logs pursuant to this Regulation; or
- f. Keeping or submitting any misleading or false record, log or document required by this Regulation.

IX. Hearing

The person or persons, to whom any order or notice is issued pursuant to this Regulation, may request a hearing before the BOH. Such request shall be in writing and shall be filed in the office of the Westfield Health Department within seven (7) days after receipt of an order or notice.

X. Severability

If any word, clause, phrase, sentence, paragraph, or section of this Regulation shall be declared invalid for any reason whatsoever, that portion shall be severed and all other provisions of the Regulation shall remain in full force and effect.

XI. Effective Date

This Regulation was adopted by vote of the Board of Health on May 11th, 2016. This Regulation shall become effective immediately.

Board of Health Members: Juanita Carnes, Chairperson
Michael Paquette, Pharm D
Teresa Mitchell, M.D.

Director of Public Health: Joseph Rouse

Code Enforcement Inspector: Steve Cipriani
Tom Hibert