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# Fats, Oils, and Grease Source Control Program and Enforcement Management System



Orange County Sanitation District  
*Source Control Division*

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**Date:**

September 30, 2005

**Revision Date:**

September 25, 2022

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# 1 INTRODUCTION

The Orange County Sanitation District (OCSD) is committed to complying with the mandates set forth under the ~~General Waste Discharge Requirements for Sewage Collection Agencies in Orange County, Order No. R8-2002-0014~~ **State Water Resources Control Board Order No. 2006-0003-DWQ**. As part of this mandate, OCSD is implementing a Fats, Oils, and Grease (FOG) Source Control Program to limit the discharge of FOG and other debris that may cause sewerage collection system blockages or Sanitary Sewer Overflows (SSOs). This is accomplished through implementation and effective enforcement of OCSD's FOG Ordinance OCSD-25 (Appendix ~~D4A~~) by:

- Administering an extensive permitting program to control and regulate FOG discharges from Food Service Establishments (FSEs);
- Requiring FSEs to implement Best Management Practices (BMPs) and install grease interceptors, when applicable, to reduce FOG from their wastewater prior to discharge to OCSD's sewerage system;
- Tracking compliance through inspection of FSEs, aggressive CCTV monitoring of the sewer system to identify potential sources of sewer blockages, and monitoring compliance with BMP requirements and maintenance requirements for grease interceptors;
- Evaluating and screening the results of inspection and monitoring to identify violations; and
- Consistently responding to all types of violations to ensure long-term compliance.

OCSD's existing Wastewater Discharge Regulations OCSD-~~0453~~ (Appendix ~~D2B~~) implements the general and specific prohibitions of the National Pretreatment Program (40CFR403.5).

To achieve an effective and aggressive enforcement program, OCSD established a FOG Enforcement Management System, which encompasses the basic components required to cover all FOG control activities. In developing the system, OCSD addressed the fundamental requirements necessary to regulate FSEs, such as obtaining and evaluating information on compliance of FSEs; identifying violations; and selecting appropriate enforcement actions to resolve noncompliance in a timely, fair, and consistent manner.

## 2 PRELIMINARY FOG CONTROL STUDIES

### *Basis for developing OCSD's FOG Source Control Program*

During the development of OCSD's FOG Source Control Program, OCSD and other WDR Co-Permittees needed to know the basic components of such a program. Therefore, OCSD, on behalf of the WDR Co-Permittees and in its role as regional facilitator, contracted the services of Environmental Engineering & Contracting, Inc. (EEC), to conduct a FOG Control Study. The final Phase I report was received in July 2003, and the report listed 12 potential "building blocks" for an effective FOG Source Control Program, from which WDR Co-Permittees could develop programs tailored to their site-specific conditions. A full copy of this study is available from OCSD's Source Control Division.

OCSD also contracted EEC to conduct a Characterization Study of the hot spots and FSEs in its area of jurisdiction to gather more specific information for developing its FOG Source Control Program. The overall aim was to determine the true cause(s) of the hot spots. The study encompassed visual observations of sewer lines using Closed Circuit Television (CCTV) in the vicinity of the hot spots and inspecting and cataloging each tributary FSE, including plotting the information in Geographical Information System (GIS). The majority of the hot spots were caused or exacerbated by structural issues and FOG discharges from FSEs. Sometimes a repair effectively eliminated a hot spot caused by structural issues, but in other cases, mitigation is not feasible and other techniques must be employed to mitigate the hot spot. With the data gathered, OCSD is able to identify FSEs discharging FOG and is currently prioritizing on those facilities discharging to hot spots. A copy of this study is available from OCSD's Source Control Division.

As a result of these studies, OCSD has the data necessary for developing the basis for its FOG Source Control Program.

## 3 OCSD's FOG SOURCE CONTROL PROGRAM

### *Essential elements of an effective program*

OCSD established the following essential elements to implement an effective FOG Source Control Program for FSEs in the city of Tustin and unincorporated areas within OCSD's jurisdiction. In 2016, the Orange County Local Agency Formation Commission approved East Orange County Water District's application to accept the transfer of sewers within OC San's Service Area 7, which included the Tustin area and a few unincorporated areas of Orange County. One area in particular was the local sewers in the northern Tustin area. With the transfers of those sewer lines, OC San no longer had jurisdiction over the FSEs connected to the local sewers in that area. OC San now has a fixed, defined set of sites having FSEs that discharge directly to our trunklines.

#### 3.1 Legal Authority

OCSD established a FOG Ordinance (OCSD-25) that provides the legal authority necessary for implementing the FOG Source Control Program. To prevent SSOs caused by FOG blockages of sewers, OCSD's scope of authority includes:

- Authority to regulate all FSEs contributing FOG to the sewer system
- Authority to require and issue Wastewater Discharge Permits, including:
  - Authority to require FSEs to obtain permits
  - Authority to require FSEs to submit permit applications containing all data which OCSD deems relevant to permit decisions and provisions for public access to data
  - Authority to enter, inspect, and sample to verify information supplied by FSEs as well as to assess the FSEs' compliance status
  - Authority to incorporate local limits
  - Authority to incorporate federal and state pretreatment standards and requirements
  - Authority to require self-monitoring, record keeping, and reporting by FSEs
  - Authority to develop other appropriate permit conditions
- Authority to enforce permit violations.



OCS&D's Board of Directors adopted the FOG Ordinance OCS&D-25 on December 17, 2004, which was effective on January 1, 2005. Subsequently, FOG Fee Resolution OCS&D 05-04 (Appendix ~~D3C~~) establishing FOG fees applicable to FSEs was passed and adopted on March 23, 2005, and was effective on May 1, 2005.

The following is a summary of the core requirements of the FOG Ordinance:

#### **Permit Requirement**

- FSEs are required to obtain a FOG Wastewater Discharge Permit to discharge wastewater into the sewer system.

#### **Permit Exemptions**

- A limited food preparation establishment is not considered an FSE and is exempt from obtaining a FOG Discharge Permit. Exempted establishments shall be engaged only in reheating, hot holding, or assembly of ready-to-eat food products and, as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.

#### **Permit Fee**

- The Permit Fee is \$100/year to cover permit issuance and maintenance. There is no change in existing user fees specific to FSEs.

#### **Prohibitions**

- Use of food grinders. Installation of food grinders in the plumbing system of new constructions of FSEs is prohibited. Furthermore, all food grinders shall be removed from all existing FSEs within 180 days after notification, except when expressly allowed by the FOG Source Control Program Manager.
- Introduction of any additives into a FSE's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the FOG Source Control Program Manager is obtained.
- Disposal of waste cooking oil into drainage pipes. All waste cooking oils shall be collected and stored properly in receptacles, such as barrels or drums, for recycling or other acceptable methods of disposal.
- Discharge of wastewater from dishwashers to any grease trap or grease interceptor.
- Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors.

- Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service, or vice versa.
- Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system. Grease removed from grease interceptors shall be wastehauled periodically as part of the operation and maintenance requirements for grease interceptors.
- Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the total design hydraulic depth of the grease interceptor (25% Rule).

#### **Requirement to Implement Best Management Practices (BMPs)**

- FSEs are required to implement BMPs in their operation to minimize the discharge of FOG to the sewer system.

#### **General Requirement for FOG Pretreatment**

- Service Establishments are required to pretreat their wastewater using grease interceptors to remove FOG prior to discharge to the sewer system. Waivers or Variances are allowed when applicable, but space and plumbing segregation are required for future interceptor installation.

#### **Implementation of FOG Pretreatment Requirement for New Construction of FSEs**

- New construction of FSEs is required to install grease interceptors prior to commencing discharge of wastewater to the sewer system.

#### **Implementation of FOG Pretreatment Requirement for Existing FSEs**

- For existing FSEs in general, the requirement to install and to properly operate and maintain a grease interceptor may be conditionally ~~delayed in its implementation (through a conditional waiver)~~ waived by the FOG Control Manager. ~~for a maximum period of three years from the effective date of the Ordinance.~~
- Installation of grease interceptors are required within 180 days after notification for existing FSEs that have caused or contributed to grease related blockage in the sewer system, or which have sewer laterals connected to hotspots, or which have been determined to have major impact to the sewer system by the FOG Source Control Program Manager based on inspection or sampling.

- Installation of grease interceptors is required for Existing FSEs undergoing remodeling or a change in operations as defined in the Ordinance, or for Existing FSEs that change ownership and undergo remodeling or a change in operations as defined in the Ordinance.

#### Variance from Grease Interceptor Requirement

- A variance may be issued to allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, to FSEs demonstrating that it is impossible or impracticable to install, operate, or maintain a grease interceptor. The FOG Source Control Program Manager's determination to grant a variance will be based upon, but not limited to, evaluation of the following conditions:
  1. There is no adequate space for installation and/or maintenance of a grease interceptor.
  2. There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer.
  3. The FSE may justify that the alternative pretreatment technology is equivalent or better than a grease interceptor in controlling its FOG discharge. In addition, the FSE must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through downstream visual monitoring (Closed Circuit Television or CCTV) of the sewer system, for at least three months, at its own expense. A Variance may be granted if the results show no visible accumulation of FOG in its lateral and/or tributary downstream sewer lines.

#### Conditional Waiver from Installation of Grease Interceptor

- Conditional Waivers from installation of grease interceptors may be issued to FSEs that have been determined to have negligible FOG discharge and insignificant impact to the sewer system. ~~This waiver may also be issued to existing FSEs to delay implementation of the requirement up to a maximum of three years from the effective date of the Ordinance.~~ The FOG Source Control Program Manager's determination to grant or revoke a conditional waiver shall be based upon, but not limited to, evaluation of the following conditions:
  1. Quantity of FOG discharge as measured or as indicated by the size of FSE based on seating capacity, number of meals served menu, water usage, etc.

2. De minimis discharge, i.e., discharge volume that does not require an interceptor size larger than 350 gallons.
3. Adequacy of implementation of BMPs and compliance history.
4. Sewer size, grade, condition based on visual information (CCTV), FOG deposition in the sewer by the FSE, and history of maintenance and sewage spills in the receiving sewer system.
5. Changes in operations that significantly affect FOG discharge.
6. Any other condition deemed reasonably appropriate by the FOG Source Control Program Manager.

#### **Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee**

- For FSEs where the installation of a grease interceptor is not feasible and no equivalent alternative pretreatment may be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a Grease Disposal Mitigation Fee as described in the Ordinance. The FOG Source Control Program Manager's determination to grant the waiver with a Grease Disposal Mitigation Fee will be based upon, but not limited to, evaluation of the following conditions:
  1. There is no adequate space for installation and/or maintenance of a grease interceptor.
  2. There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer.
  3. A variance from grease interceptor installation to allow alternative pretreatment technology may not be granted.

#### **Grease Interceptor Installation Requirements**

- Any FSE required to provide FOG pretreatment shall install, operate, and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of the Ordinance. Grease interceptor sizing and installation shall conform to the current edition of the Uniform Plumbing Code.

#### **Grease Interceptor Maintenance Requirements**

- Grease Interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor, which includes wastewater, accumulated FOG, floating materials, sludge, and solids.
- All existing and newly installed grease interceptors shall be maintained in a manner consistent with a maintenance

frequency approved by the FOG Source Control Program Manager pursuant to this section.

- No FOG that has accumulated in a grease interceptor shall be allowed to pass into any sewer lateral, sewer system, storm drain, or public right of way during maintenance activities.
- FSEs with grease interceptors may be required to submit data and information necessary to establish the maintenance frequencies for the grease interceptors.
- The maintenance frequency for all FSEs with a grease interceptor shall be determined in one of the following methods:
  1. Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed 25% of the total design hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume are maintained to effectively intercept and retain FOG discharged to the sewer system.
  2. All FSEs with a Grease Interceptor shall maintain their grease interceptor not less than every 6 months.
  3. Grease interceptors shall be fully pumped out and cleaned quarterly when the frequency described in (1) has not been established. The maintenance frequency shall be adjusted when sufficient data have been obtained to establish an average frequency based on the requirements described in (1) and guidelines adopted pursuant to the FOG Source Control Program. OCS D may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG Source Control Program. Based on the actual generation of FOG from the FSE, the maintenance frequency may increase or decrease.
  4. The owner/operator of a FSE may submit a request to the FOG Source Control Program Manager requesting a change in the maintenance frequency at any time. The FSE has the burden of responsibility to demonstrate that the requested change in frequency reflects actual operating conditions based on the average FOG accumulation over time and meets the requirements described in (1), and that it is in full compliance with the conditions of its permit and this Ordinance. Upon determination by the FOG Source Control Program Manager that requested revision is justified, the permit shall be revised accordingly to reflect the change in maintenance frequency.
  5. If the grease interceptor, at any time, contains FOG and solids accumulation that does not meet the requirements described in (1), the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the FOG Source Control Program Manager

may also increase the maintenance frequency of the grease interceptor from the current frequency.

- Wastewater, accumulated FOG, floating materials, sludge/solids, and other materials removed from the grease interceptor shall be disposed off-site properly by waste haulers in accordance with federal, state, and/or local laws.

#### **Requirements for Best Management Practices (BMPs)**

- Installation of drain screens. Drain screens shall be installed on all drainage pipes in food preparation areas.
- Disposal of food waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.
- Segregation and collection of waste cooking oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
- Employee training. Employees of the FSE shall be trained by ownership within 180 days of notification, and twice each calendar year thereafter, on the following subjects:
  1. How to “dry wipe” pots, pans, dishware, and work areas before washing to remove grease.
  2. How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
  3. The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
  4. How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.
- Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by OCSD or other authorized inspector.
- Maintenance of kitchen exhaust filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filter shall be disposed of properly.
- Kitchen signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

#### **Notification Requirements**

- FSEs shall comply with the following notification requirements:

1. Notification of Spill
2. Notification Regarding Planned Changes

#### **Recordkeeping Requirements**

- FSEs shall keep records for at least two years and submit or make available for review, the following documents to OCSD, upon request:
    1. A Record/Logbook of BMPs being implemented, including employee training.
    2. A Logbook of the grease interceptor, grease trap, or grease control device cleaning and maintenance practices and activities.
    3. Training Records.
- For permittees with grease interceptors:
4. Copies of records and manifests of wastehauling interceptor contents.
  5. Records of sampling data and/or sludge height monitoring for FOG and solids accumulation in the grease interceptors.

#### **Reporting Requirements**

- FSEs may be required periodic reporting of the status of implementation of BMPs and maintenance of grease interceptors.
- Other reports may be required such as compliance schedule progress reports, FOG control monitoring reports, and any other reports deemed reasonably appropriate to ensure compliance with the Ordinance.

#### **Drawing Submittals**

- FSEs may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, schematic drawings of FOG control device, grease interceptors or other pretreatment equipment and appurtenances by size, location, and elevation for evaluation.

### **3.2 Systematic Identification and Inventory of FOG Sources**

#### **3.2.1 Initial Inventory of FSEs**

OCSD initially identified FSEs within its jurisdiction by inspecting and characterizing each FSE and subsequently determined individual

potential to generate and discharge FOG to the sewer system. This was done as part of the FOG Characterization Study conducted by Environmental Engineering and Contracting, Inc. (EEC) on behalf of OCSD. The purpose of the study was to provide key information and program recommendations for the development of OCSD's FOG Source Control Program to prevent FOG-related SSOs.

A total of 145 FSEs were initially identified to be significant FOG dischargers and were issued permits on January 1, 2005, based on inspection and evaluation of each FSE and the following assessments:

- Problem areas in the sewer system (hot spots), as manifested by more frequent cleaning and maintenance, were identified and inspected using Closed Circuit Television (CCTV). This enabled OCSD to determine FSEs contributing to the existence of hot spots and identify other potential sources of FOG.
- OCSD's service area was mapped out utilizing Geographic Information System (GIS) software to georeference critical information such as streets, sewer lines and flow directions, location of FSEs and hot spots, location of historical SSOs, etc. This map enabled OCSD to better understand occurrence of SSOs and evaluate potential impact of each FSE based on its proximity and relative location to hot spots.

Utilizing the results from the GIS findings, OCSD ranked FSEs that have the probability of causing sewer blockages and impact to downstream hotspots. This served as the basis to prioritize major permit requirements, such as installation, operation and maintenance of a grease interceptor.

### 3.2.2 Program Provisions to Update Inventory of FSEs

To ensure that all significant FOG dischargers are permitted and regulated, OCSD established mechanisms to update its inventory of FSEs on a routine basis. The following are implemented to identify new or potential FSEs that are not currently on permit:

- ~~OCSD partnered with the City of Tustin's Community Development Department - Building Division, to identify new construction or major renovation of FSEs exceeding \$50,000. When a building permit is issued by the Building Division, the prospective FSE is also given a FOG Wastewater Discharge Permit Application. Upon notification by the Building Division, OCSD staff conducts an inspection to collect the necessary information needed to issue a new FOG Wastewater Discharge Permit. An Inspection Card, issued by the City of Tustin for each building permit, contains a sign off provision for OCSD to provide the opportunity to inform the city's Building Division that the FSE has met OCSD's requirements, including issuance~~



~~of a valid FOG Wastewater Discharge Permit. This allows the city to complete the business license procedure and issue the certificate of occupancy to the FSE. This procedure ensures that OCSD's FOG discharge requirements are satisfied prior to discharge.~~

- ~~● OCSD obtains and reviews, on a periodic basis, a list of FSEs from the City of Tustin's Business License Division to identify new FSEs. This enables OCSD to identify new FSEs based on change of ownership that did not go through the building permit process.~~
- On an annual basis, OCSD reviews a comprehensive list of FSEs inspected by the Orange County Health Care Agency (OCHCA) to identify FSEs that are not currently permitted by OCSD.
- As a condition of the FOG permit, current FSEs are required to notify OCSD of any changes to their company information, such as changes in ownership. A Facility Information Update Form, available in the FOG permit package, is provided for this purpose. The update form will initiate the appropriate follow-up response such as an inspection or the mailing of a permit application (for new owners).
- OC San conducts additional industry search activities by routinely visiting Orange parcels located in the OC San FOG service area.

### 3.3 Permitting Program

In addition to the FOG Ordinance, OCSD utilizes FOG Wastewater Discharge Permits as a control mechanism to effectively implement FOG control requirements to FSEs. Competently staffed with personnel well trained in the pretreatment program, OCSD processes permits efficiently using established procedures and time frames together with automation. This ensures timely issuance and application of appropriate permit conditions.

#### 3.3.1 Comprehensive Permit

A permit is effective only when it is comprehensive enough to describe all requirements and control parameters required of a permittee. To ensure that each FSE understands its unique obligations, OCSD issues a permit that comprehensively defines the FSEs' responsibilities; the regulations to which FSEs need to adhere; and specific requirements in terms of self-monitoring frequency, reporting requirements, etc.

The permit issued to an FSE authorizes the discharge of wastewater to OCSD's sewerage system, and describes, in a single document, all the duties and obligations of the FSE, including applicable FOG pretreatment requirements. Permits allow for the systematic

integration of all applicable requirements and greatly facilitate enforcement of any noncompliance. An example of the FOG Wastewater Discharge Permit is shown in Appendixes ~~E1~~~~D1~~ and ~~D2~~.

### 3.3.2 Major Permit Requirements

Some of the major requirements of the permit that help ensure an effective FOG control program include, but are not limited to, the following:

- Mandatory implementation of Kitchen BMPs for all FSEs.
- Installation, operation, and maintenance of grease interceptors, when applicable.

Although all permits include the requirement for installation, operation, and maintenance of grease interceptors, waivers are initially issued to FSEs believed to have minor impact based on current information. An ongoing identification and verification of major FOG sources through FSE inspections and CCTV are integral components of OCSD's FOG Source Control Program. This enables OCSD to revoke waivers and pursue installation of grease interceptor for FSEs that are known to have major impact. Of the 145 permits initially issued by OCSD on January 1, 2005, about 20% were required to install, operate and maintain a grease interceptor.

### 3.3.3 Permit Duration

FOG Wastewater Discharge Permits issued by OCSD are typically for two years from the date of issuance and are updated, reviewed and renewed bi-annually. Prior to expiration of the permit, the FSE is required to complete and submit a permit renewal application to allow for re-evaluation of its existing permit.

### 3.3.4 Permit Informational Materials

OCSD has taken extra efforts to provide each permittee with a comprehensive permit binder that contains all the informational materials necessary to understand and comply with OCSD's FOG Source Control Program and the FOG discharge requirements. The binder includes the following:

- FOG Wastewater Discharge Permit (Appendixes ~~E1~~ or ~~D2~~)
- Kitchen BMPs training materials (Appendix ~~E~~) in the form of a DVD video and reading material. A poster that is required to be displayed in the kitchen area is also provided separately.
- Informational Fact Sheets (Appendixes ~~F1 - F14~~ ~~E3~~) on the following subjects:

- FOG Ordinance: Core Elements
  - Basic Information on FOG
  - FOG Definitions
  - FOG Issues: Frequently Asked Questions
  - FOG Source Control Program
  - FOG Source Control Program: Frequently Asked Questions
  - Prohibitions Relating to Discharge of FOG
  - General Best Management Practices
  - Kitchen Best Management Practices
  - Managing Food Materials
  - Food Service Waste Reduction
  - Restaurant Oil and Grease Rendering
  - Grease Interceptors
  - Design Guidelines for Grease Interceptors
- FOG Ordinance (Appendix A)
  - Forms (Appendices G1 – G3)
  - Logs (Appendices H1 – H3) including Employee BMP Training Logs, Grease Interceptor Maintenance Log, Recyclable (yellow) Grease Pickup/Disposal Log

## 3.4 Enforcement Program

### 3.4.1 Monitoring Program

The monitoring program is an integral part of OCSD’s enforcement program. OCSD performs routine and non-routine monitoring of FSEs to enforce the provisions of the FOG Ordinance and their FOG Wastewater Discharge Permits, and to identify noncompliance. In general, the monitoring program encompasses:

- FSE Self Monitoring which provides feedback to OCSD on the status of the required BMP implementation and grease interceptor maintenance;
- Routine Onsite Facility Inspections conducted by OCSD staff/representative to monitor overall status of compliance;
- Follow-up Inspections and Verification to determine if FSE has implemented required corrective actions;
- Compliance Audit to evaluate repeated violations;
- Inspections for Bi-Annual Permit Renewal to gather information needed for establishing permit conditions during permit renewal; and
- Downstream Sewer Line Inspections using CCTV to provide visual observation of FSE laterals and detect major FOG contributors that are not apparent during routine inspections.

Details of the monitoring program are discussed in Section 6.

### 3.4.2 Enforcement Management System

OCS D believes that the success of its FOG Source Control Program is highly dependent not only on its ability to administer extensive permitting and to monitor FSEs through inspection, but also on the implementation of an effective and aggressive enforcement program that is capable of deterring violations and consistently responding to all types of noncompliance. OCS D provides a comprehensive range of enforcement options that are used to respond to violations within the legal authority granted by OCS D's FOG Ordinance. The following is a list of available enforcement actions that have been found to be effective in achieving and maintaining long-term compliance:

- Corrective Action Notices
- Notices of Violation
- Noncompliance Fees
- Compliance Follow-Up Inspection and Verification
- Compliance Audit
- Compliance Meetings
- Increased Grease Interceptor Pumping/ Maintenance
- Order to Cease Noncompliant Discharge
- Compliance Schedule Agreement
- Administrative Complaint/Fines
- Revocation of Waiver from Grease Interceptor Installation
- Revocation of Variance from Grease Interceptor Requirements
- Permit Suspension
- Permit Revocation
- Order to Terminate Discharge
- Emergency Suspension Order
- Civil Action to Recover Civil Penalties
- Injunction
- Physical Termination of Service
- Criminal Penalties

To achieve timely and effective implementation of the FOG Source Control Program, OCS D established an Enforcement Management System, which provides systematic procedures to identify noncompliant FSEs and determine appropriate enforcement actions that must be implemented within established time frames. OCS D's Enforcement Management System includes procedures that are applied to enforce the FOG control program requirements and to track compliance. Through the Enforcement Management System, OCS D is able to:

- Identify and investigate instances of noncompliance;
- Establish enforcement responses that are appropriate in relation to the nature and severity of the violation and the overall degree of noncompliance; and
- Provide uniform application of enforcement responses for comparable levels and types of violations, and ensure adequate, consistent, and timely enforcement actions.

OCS D's Enforcement Management System encompasses all the facets of FOG source control activities from permitting to enforcement. This enforcement management system is necessary to effectively administer all the requirements of the FOG Source Control Program. It provides a systematic way of determining whether FSEs are complying with the FOG Ordinance through the requirements specified in the control mechanisms and legal authorities, and in determining how and when to respond to noncompliance. A comprehensive discussion of OCS D's

Enforcement Management System can be found in the following sections.

### 3.5 Staffing Resources and Training

#### 3.5.1 Staffing Resources

The effectiveness of the control mechanisms (permit and ordinance) established for implementing the FOG Source Control Program is enhanced by a well-qualified and competent staff. OCSD's Source Control Division administers the FOG Source Control Program. ~~This program is staffed by five highly qualified Environmental Specialists/Engineers with bachelor's/master's degrees in either science or engineering and with years of experience in implementing the National Pretreatment Program. In addition, OCSD utilizes the services of Environmental Compliance Inspection Service (ECIS) to conduct routine inspections for BMP and grease interceptors.~~ The continued success of OCSD's pretreatment program is enhanced by the expertise, experience, and skills of the staff developing and implementing the program. These resources are utilized both to attain the goals of the FOG Source Control Program and to work in cooperation with FSEs and the public to protect the environment.

#### 3.5.2 Training

Training is an integral part of OCSD's staff development program. The need for a well-trained staff that is thoroughly familiar with the pretreatment regulations, FOG Source Control Program, policies and procedures, and computer applications cannot be over-emphasized. ~~Therefore, OCSD's Source Control Division has established formal training programs for both new and existing staff utilizing both internal and external resources.~~

##### ~~1.1.1.1 New Staff~~

~~The training of new staff is an intensive process lasting six months to one year, starting with a formal introduction to the program under the guidance of senior staff. A training schedule is developed, tailored to the position and needs of the new staff, which involves familiarization with materials on pretreatment regulations, FOG Ordinance and policies and procedures, kitchen BMPs, and FOG pretreatment equipment and waste management practices. After completing the formal training program, the knowledge obtained is further reinforced through on-the-job training.~~

#### 1.1.1.2 Existing Staff

The training of ~~existing~~ staff is on-going, and it involves both technical and general training to maintain and augment skills and knowledge needed to perform the job.

- On a continuous basis, staff receives training on both commercial computer software and OCSD's programs created in-house to enable the staff to effectively and efficiently conduct their duties. Examples of these programs include Excel, Word, ~~Access~~, and ~~iPACS.OCSD's FOG software~~. Other types of training include time management, project management, budget development, performance assessment, confined space entry, first aid, First Responder training, LEL detection, defensive driving, and developing management and supervisory skills. Continuous on-the-job training through regular staff meetings is conducted to update staff on new regulations, pollution prevention, pretreatment system, policies and procedures, etc. OCSD also provides opportunities, in the form of tuition reimbursement and flexible schedules, for staff to increase their knowledge by taking courses at colleges and universities that relate to the duties performed by staff.
- Staff also participates in conferences and training seminars ~~throughout the country~~ to be kept knowledgeable on the latest technologies and regulations. ~~For example, staff regularly attend the Cal FOG Work Group, California Water Environment Association (CWEA), National Association of Clean Water Agencies (NACWA, formerly AMSA), and Water Environment Federation (WEF) conferences and training seminars, and field staff have participated in conferences and training seminars throughout the country to be up to date on the latest technologies available in sampling and monitoring equipment.~~
- ~~When new programs are implemented, staff receives specialized training to execute and conduct the tasks required by the program. For example, at the implementation phase of the FOG Source Control Program, OCSD's staff attended an Advanced Training Course on the Control of Fats, Oils, and Grease sponsored by EPA, WEF and CWEA. Such training program instructs staff and familiarizes them with the issues, technical aspects, and policies and procedures of the program.~~

### 3.6 FSE Outreach

OCSD recognizes that its ability to be proactive and effective is also dependent upon public outreach and education. OCSD's basic principle is working with FSEs to protect the environment and public health. OCSD strives not only to keep the public involved,

but also to become partners with FSEs in developing and maintaining its environmental protection programs. It has been OCSD's experience that the FOG Source Control Program is more effective and successful if FSEs understand the purposes and goals of the program, and if FSEs are active participants in developing a practical and equitable program.

Interaction with FSEs occurs on a day-to-day basis, as part of the daily operation of the FOG Source Control Program and through a variety of forums and venues which bring together FSEs on the local level. As part of OCSD's philosophy of service to the community and of developing equitable, practical programs, its outreach activities include working with other local agencies to bring about regulations that "make sense" to FSEs, OCSD, and the community.

The following are examples of the more important and unique outreach activities and programs OCSD has undertaken:

### **3.6.1 FOG Ordinance Advocacy**

During the initial development of the FOG Ordinance, OCSD served as the lead agency in creating a model ordinance for Orange County. OCSD worked with other co-permittees in Orange County to solicit inputs in order to ensure that the regulations established are comprehensive and can be practically implemented to achieve the desired environmental results. The model ordinance served as a good starting point for co-permittees to develop and adopt a FOG Ordinance that suits their local need. It was adopted by OCSD and some of the co-permittees.

### **3.6.2 Stakeholder Involvement and Education**

OCSD conducted outreach for FSEs within its jurisdiction through workshops, printed materials mailed to FSEs, and the internet to solicit active participation and feedback on the development of the FOG Ordinance. Beginning August through December 2004, prior to implementation of the FOG Source Control Program in January 1, 2005, OCSD mailed informational materials to FSEs in the form of Fact Sheets (Appendices E3F1 - F14), to promote awareness about the problem associated with FOG, to educate them on what they can do to help minimize the discharge of FOG, and to create a mindset that the FOG discharge regulations is upcoming and will be implemented through permits and enforcement.

### 3.7 Collaboration with ~~Sewer Maintenance, Engineering-Design, Source Control, and Communication Groups~~ Operations and Maintenance (O&M), Engineering, Environmental Services Department and Public Affairs Office

The FOG Source Control Program alone is insufficient to ensure that FOG related SSOs will be eliminated. In order to be effective, it is also necessary to work with the following:

- Engineering Department to prioritize and correct structural defects
- ~~Maintenance Department~~ Operations and Maintenance (O&M) Department to eliminate root infestation in the sewer, track the emergence of trouble spots (hotspots) in the collection system and take the necessary steps to establish appropriate maintenance frequencies
- ~~Communications Department~~ Public Affairs Office to provide public outreach to minimize residential FOG discharge.

A collaborative effort is established between the ~~Operations and Maintenance Department~~, Engineering Department, ~~Public Affairs Office~~, and the Source Control Division to develop a unifying strategy in eliminating SSOs. It is important for the Source Control Division to maintain communication and logistical connectivity to the work practices of the other workgroups. Information obtained from the FOG Source Control Program during the course of its implementation will be fed to the other groups to develop strategies to optimize cleaning of sewer lines and eliminate roots, to identify and fix sewer line structural problems, and to further educate the public.

OCS D is committed in implementing an effective and practical FOG Source Control Program that considers the economic impact in implementing requirements to FSEs as well as the benefits derived towards achieving the desired environmental results. Although an initial program has been established, ongoing efforts to further improve the implementation of the FOG Source Control Program will be pursued.



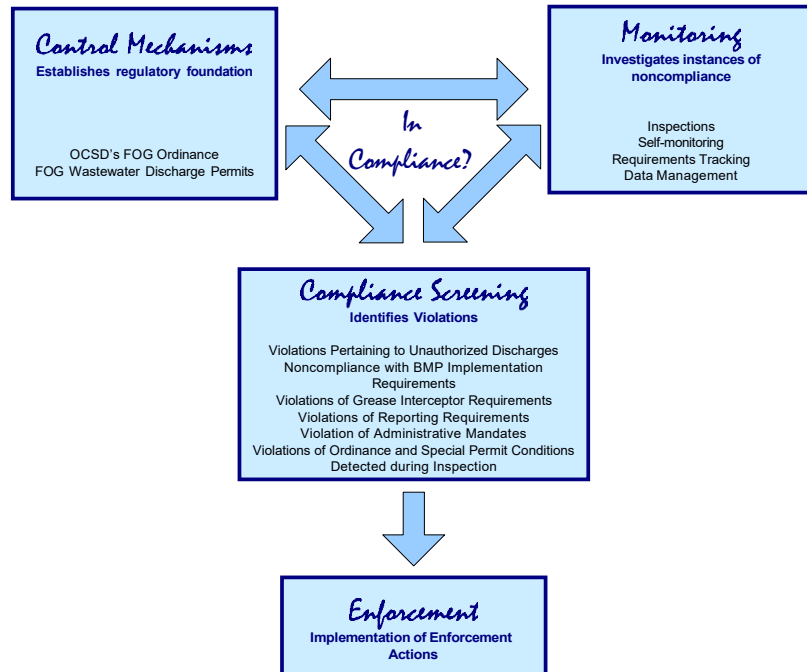
## 4 OVERVIEW OF OCSD’S FOG ENFORCEMENT MANAGEMENT SYSTEM

### *How it works*

OCSD’s FOG Source Control Program is administered through the FOG Enforcement Management System. The system is a network of four interdependent components:

1. Control Mechanisms (FOG Ordinance and Permits) to establish authority for regulating FSEs;
2. Monitoring Program to investigate instances of noncompliance;
3. Compliance Screening to identify violations; and
4. Implementation of Enforcement Actions.

Linked together, these components serve as the framework in effectively enforcing OCSD’s FOG Source Control Program. Each component is comprised of procedures on how and when to conduct each activity, and is established to define personnel responsibilities in administering the program.



Control mechanisms are the foundation of the FOG Enforcement Management System. OCSD regulates FSEs through the FOG Discharge Permit (permit) and the FOG Ordinance. The permit and the FOG Ordinance define the FSEs' responsibilities; the regulations to which FSEs need to adhere; and specific discharge requirements. The existence of these control mechanisms, however, is not enough to ensure compliance by FSEs with the regulations. OCSD recognizes that it must be able to act upon and effectively enforce the terms of these control mechanisms.

To determine and investigate instances of noncompliance, OCSD administers a monitoring program by inspecting FSEs, tracking implementation of BMPs, monitoring maintenance of grease interceptors, and by tracking all other requirements imposed. Inspections include evaluations and assessments of the FSEs' operations and grease interceptors, and are documented by inspection reports.

Because of the large volume of information handled in maintaining and evaluating permit and enforcement activities, database management becomes an integral part of the FOG Enforcement Management System. OCSD has a sophisticated computer network for this purpose, which utilizes advanced database management softwares such as ~~Oracle~~ iPACS, to enhance information storage, retrieval, processing, and evaluation. ~~A custom software specifically designed to administer the FOG Source Control Program~~ iPACS is in place, to ensure consistency and efficiency of implementation. The software organizes and enhances monitoring and tracking activities as well as implementation of enforcement actions. Pertinent current information on FSEs is stored in the computer database; similarly, hard copies of documents are stored in files. The FOG software and database system are capable of storing inspection reports, BMP reporting requirements, and grease interceptor maintenance reports among others obtained by OCSD. In addition, the computer tracks due dates for report submittals and requirements imposed on FSEs, and also generates reminders to FSEs prior to the due dates.

With the FSEs' requirements and prohibitions established through the control mechanisms, and the data gathered from the monitoring and tracking activities, violations are identified through systematic compliance screening. The compliance screening process involves review of available information to sort out noncompliant dischargers for appropriate enforcement response. This process automatically generates Notices of Violation that are sent to FSEs. All other violations not amenable to computer tracking are being determined manually, in a systematic manner, in accordance with established policies and procedures.

The violations and discrepancies that are identified during the compliance screening process are reviewed by the appropriate personnel to evaluate the type of enforcement response needed. OCSD staff identifies types of responses that are appropriate based on the nature of the violation, the frequency of the violation, the magnitude of the violation, the duration of the violation, the potential impact of the violation, and the good-faith efforts of the violator to eliminate noncompliance. After selection of the

appropriate response, the enforcement action is implemented by specific personnel within a reasonable time frame.

The culmination of all of the above activities enables OCSD to maintain internal coordination and management of the FOG Source Control Program in a systematic and consistent manner. Through the FOG Enforcement Management System, OCSD intends to implement monitoring and enforcement responsibilities in a consistent, fair and timely manner.

## 5 CONTROL MECHANISMS

### *Legal basis for regulatory control*

The FOG Ordinance and the FOG Wastewater Discharge Permit are control mechanisms that allow OCSD to implement the FOG Source Control Program. These control mechanisms serve as the regulatory foundation for providing OCSD with the legal authority to implement the program.

#### 5.1 FOG Ordinance

The FOG Ordinance adopted by OCSD sets forth uniform requirements for all FSEs in OCSD's service area of responsibility, to comply with the General Waste Discharge Requirements Order. The Ordinance authorizes the issuance of FOG Discharge Permits to limit FOG discharges to the sewer system; authorizes inspection/monitoring and enforcement activities; establishes administrative procedures; and provides for the setting of fees for the equitable distribution of costs resulting from the implementation of the FOG Source Control Program.

#### 5.2 FOG Wastewater Discharge Permit

OCSD's FOG Ordinance prohibits the discharge of FOG from FSEs without valid FOG Discharge Permits. Therefore, OCSD is administering a permit program for FSEs utilizing procedures that allow for the:

- Identification of new FSEs and characterization of their FOG discharges,
- Identification of significant process and/or discharge changes at existing FSEs, and
- Issuance of permits to regulate FSEs' FOG discharges

FOG Wastewater Discharge Permits issued to FSEs contain:

- Discharge prohibitions and discharge limitations;
- Schedules for self-monitoring and reporting;

- Statements of duration and non-transferability;
- Legal authority of OCSD to revoke the sewer discharge privileges and to modify the permit;
- Penalties;
- Record-keeping and notification requirements;
- Severability; and
- Permit conditions, as necessary.

### 5.2.1 Permit Processing and Issuance

OCSD implements an efficient permitting program through timely processing and issuance of permits, comprehensive permit evaluation to ensure application of correct permit conditions, and automated permit generation. The following describe these aspects in detail:

#### 5.2.1.1 Timeliness of Permit Processing and Issuance

Permit issuance is frequently delayed when the applicant does not provide complete information and other requirements in the application, or when there are no established internal procedures and time table for processing and issuing a permit. To resolve this problem, OCSD established the following tools to ensure timely issuance of a permit:

- A permit application package (Appendix ~~E-7~~), which contains comprehensive information on how to obtain a FOG Wastewater Discharge Permit and easy-to-follow guidelines on how to fill-out an application form, is made available to all permit applicants. The brochure describes OCSD's FOG wastewater discharge permit program, permit requirements, how to apply and obtain a permit, permit conditions, facilities requirements, permit application review and evaluation process, specific instructions on how to fill out an application, and guidelines on drawings and information submittal requirements. This information provides applicants with sufficient knowledge necessary to be able to respond effectively in complying with all the permit application requirements. A permit application package checklist is also provided to ensure completeness of submittal requirements.
- When a permit application is received, OCSD follows established permitting procedures to ensure issuance of an accurate permit. Based on this, it is expected that new permits will be issued within four weeks, and all existing permits will be renewed prior to or by the expiration date.

### 5.2.1.2 Comprehensive Permit Evaluation to Ensure Application of Correct Permit Conditions

OCS D conducts a thorough review of the permit application and a comprehensive evaluation of FOG sources through an inspection of the facility, to determine applicable permit conditions. The adequacy of the pretreatment system and BMPs in place are also evaluated to ensure compliance. After final evaluation, the information is summarized and processed quickly using a computer permit generator program. Prior to issuance, QA/QC procedures are followed to ensure accuracy of the permit.

### 5.2.1.3 Automated Permit Generation

To enhance management of permit information for each FSE, OCS D maintains a relational database system that allows efficient data storage and retrieval for a variety of applications. ~~This has led to the development of a computerized permit generator developed in-house, which includes permit generation. allows a permit document to be generated in approximately less than ten minutes.~~

After detailed evaluation of the pertinent information and the applicable permit conditions as previously described, the final information is summarized and ~~entered in the permit generator program.~~ The permit document, containing all pertinent information, is quickly generated and is ready for issuance in a matter of minutes.

## 6 MONITORING FSEs

*How instances of noncompliance are investigated*

### 6.1 Methods of Investigating Instances of Noncompliance

OCSD's monitoring program is used to evaluate the compliance status of FSEs in relation to applicable permit and ordinance requirements. The monitoring program consists of:

- Tracking compliance with permit and ordinance requirements through facility inspections;
- Tracking status of implementation of BMPs and Grease Control Device Operations and Maintenance through self-monitoring program;
- Receiving and evaluating reports as specified in the FSEs' permits or as required by any enforcement actions;
- Investigating instances of noncompliance, producing admissible evidence through visual observation of sewer laterals and sewer lines downstream using closed-circuit television (CCTV), as necessary; and
- Maintaining a computerized compilation of pertinent data regarding all FSEs that is complete and accurate, in order to facilitate the compliance screening process.

The following describes in detail the monitoring and tracking activities performed by OCSD:

### 6.2 FSE Self-Monitoring

#### 6.2.1 Self-Monitoring to Track Implementation of Required Best Management Practices

OCSD requires all FSEs to implement BMPs and to report the status of implementation every six months. Minimum requirements for implementation of BMPs are specified in the FSE's permit. All self-monitoring is required to be conducted in accordance with OCSD's

guidelines as specified in the FSEs' permit. The self-monitoring results submitted to OCSD are evaluated and used as a means to determine compliance. If the results show noncompliance, the FSE is inspected to confirm the noncompliance and a Corrective Action Notice is issued accordingly, to require immediate implementation of corrective measures. A Notice of Violation with a Noncompliance Fee is issued when the FSE fails to implement the required correction during a follow-up verification inspection.

OCSD utilizes a computer system to administer the self-monitoring program from the initial notification to final submittal of reports or implementing required enforcement responses. FSEs are initially notified at the beginning of the six-month reporting period to implement BMPs and are also sent a reminder notice together with the official Best Management Practices Monitoring Report Forms. Submittals are tracked and late notices are sent when reports are not submitted on time. The reports generated by this automated process are manually verified and checked by responsible personnel prior to final release. After final verification, the results become part of the FSE's permanent file and compliance record in the computer database.

### **6.2.2 Self-Monitoring to Track Implementation of Maintenance Requirements for Grease Interceptors**

OCSD also requires FSEs with grease interceptors to maintain their grease interceptors at a specified frequency and to report these activities every six months. The permit specifies the minimum requirements for grease interceptor maintenance. Similar to the BMP self-monitoring, FSEs are also required to submit self-monitoring reports to OCSD. Reports submitted to OCSD are evaluated and used as a means to determine compliance. If the results show noncompliance, the FSE is inspected to confirm the noncompliance and a Corrective Action Notice is issued accordingly, to require immediate implementation of corrective measures. A Notice of Violation with a Noncompliance Fee is issued when the FSE fails to implement the required correction during a follow-up verification inspection. Implementation procedures for the Grease Interceptor self-monitoring requirement are similar to the BMP self-monitoring requirement.

## **6.3 Inspections**

OCSD conducts routine and non-routine inspections as a means of verifying an FSE's compliance with its discharge permit and OCSD's Ordinance. The following types of inspections are commonly done:



### **6.3.1 Routine Onsite Facility Inspections**

On a routine basis, FSEs with grease interceptor requirements are inspected periodically to verify proper maintenance and operation of grease interceptors and compliance with the 25% rule. OCSD also conducts inspections of FSEs to determine instances of noncompliance with BMP requirements and other permit requirements. The inspections may include interviews with FSE representatives, inspection of grease removal devices, and visual observation of kitchen practices as it relates to FOG generation.

### **6.3.2 Follow-up Inspection and Verification**

When a Corrective Action Notice is issued, a follow-up inspection and verification is conducted to determine if the FSE has complied with the required corrective actions to resolve the noncompliance problem. When an FSE fails to correct the problem based on the findings of this inspection, a Notice of Violation is issued along with the corresponding Noncompliance Fee.

### **6.3.3 Compliance Audit**

This is a special inspection for FSEs with repeated violations to identify and assess the cause of the recurring noncompliance problems and to establish the required corrective actions. OCSD's staff conducts a compliance audit of the facility, including a thorough review of the kitchen practices, waste/wastewater-generating sources, waste management practices, and adequacy of the pretreatment system.

### **6.3.4 Inspection for Bi-Annual Permit Renewal**

This is a comprehensive inspection conducted every two years. It provides a detailed compliance check as well as information needed to re-evaluate the permit during permit renewal. These inspections include evaluation of the kitchen practices and grease interceptor, review of waste manifests and other disposal documents, compliance evaluation, and a review of applicable regulations, policies and procedures for the implementation of the FOG program.

### **6.3.5 Downstream Sewer Line Inspections**

To further confirm compliance with the requirements of the FOG Source Control Program, OCSD conducts routine inspections of downstream sewer lines and laterals from FSEs using Closed Circuit Television (CCTV). This provides opportunity to pinpoint sources of illegal FOG discharges not detected during onsite inspections.

With the visual observations obtained using CCTV, OCSD is able to identify FSEs that have major impacts and, subsequently, require them to install adequately sized grease interceptors to resolve the problem. OCSD regularly conducts downstream monitoring and uses it as an effective means to identify major FOG contributors and further identify groups of dischargers that either collectively or cumulatively impact the sewer. CCTV inspection has been demonstrated to be a very useful tool in monitoring trouble spots to prevent SSOs and eventually eliminating trouble spots.

## 6.4 Data Management

OCSD maintains a computer data management system for storage, retrieval, and processing of information pertaining to all permit- and enforcement-related activities. The data management system is capable of handling and processing the following permit- and enforcement-related activities:

- Maintaining current FSE information, such as mailing and service address, names of chief operating officer and contact, telephone and facsimile numbers, number of employees, operating hours, etc.
- Maintaining a database for permit-related information such as GIS information, grease interceptor location, original date of permit issuance, permit expiration date, etc.
- Maintaining a database for storing inspection findings and tracking Corrective Action Notices.
- Generating Notices of Violation, when applicable.
- Tracking self-monitoring requirements, generating reminder letters to conduct self-monitoring, generating reminder letters to submit self-monitoring reports, and generating self-monitoring Corrective Action Notices.
- Tracking all permit renewal applications and generation of new and renewed permits.
- Tracking all submittal requirements such as progress reports, Compliance Schedule Agreement submittals, permit condition requirements, and any pertinent requirements.
- Generating reports such as compliance histories.

## 7 COMPLIANCE SCREENING

### *How violations are identified*

OCSD's compliance screening procedures involve the review of all available information generated by monitoring activities in comparison with the FSE's permit requirements, to sort out noncompliant dischargers. This step is designed primarily to identify apparent violations and subsequently determine the appropriate response in the next steps.

OCSD established standard compliance screening procedures for violations pertaining to permitting, grease interceptor maintenance requirements, BMP implementation and reporting requirements, administrative mandates, ordinance, and special permit conditions. With the aid of OCSD's data management system, standard procedures are followed in systematically identifying all violations and subsequently notifying FSEs of the violations.

The bulk of the compliance screening process deals with the identification of grease interceptor maintenance requirement violations (25% rule), failure to implement mandatory BMPs, reporting violations, and compliance schedule violations. In an effort to conduct the compliance screening process efficiently, OCSD developed computer programs for automatic identification of these violations. Not only will the automated process assist in developing a consistent response, it will also reduce the manpower required to conduct the compliance screening process. The preliminary review and evaluation are handled by the administrative support utilizing the computerized data management system. Computerized compliance screening applications include:

- Screening violations for failure to comply with the grease interceptor maintenance requirements (25% rule) and Failure to implement required BMPs;
- Screening for reporting violations based on computerized tracking for all report submittal requirements; and
- Screening for violation of administrative mandates based on computerized tracking of all administrative mandate requirements.

Because timing is an important element that needs to be considered when conducting compliance screening, OCSD established procedures to review the information on a "rolling" (as received) basis. The data are screened as soon as they are received, which triggers generation of a Notice of Violation when applicable, as an initial enforcement action.

OCSD has developed procedures for careful examination of monitoring data to accurately determine the compliance status of each FSE. The

following describes specifically what OCSD does to screen different types of violations:

## 7.1 Screening for Violations Pertaining to Unauthorized Discharges

### 7.1.1 Discharging Without a Permit

During the course of routine inspections of permitted FSEs, OCSD's inspectors conduct searches for FSEs discharging to the sewer without a permit. OCSD identifies non-permitted FSES by:

- ~~Working with the City of Tustin's Community Development Department – Building Division, to identify new construction or major renovation of FSEs exceeding \$50,000.~~
- ~~Obtaining and reviewing, on a periodic basis, a list of FSEs from the City of Tustin's Business License Division to identify new FSEs.~~
- Reviewing the list of FSEs inspected by the Orange County Health Care Agency (OCHCA) on an annual basis.
- Visiting parcels located in the OC San FOG service area.

Upon identification of an unpermitted FSE, OCSD issues a **Notice to Apply for Permit**; provides a Permit Application; and specifies the deadline when to submit the application.

### 7.1.2 Failure to Inform Change of Ownership

This violation is usually detected by the inspectors in the course of their routine inspection as they gather information from the contact. Upon identification of the violation, the inspector issues a **Notice to Apply** and provides a permit application. The inspector specifies the deadline to submit the application and is responsible for the follow-up.

### 7.1.3 Discharging with an Expired Permit

This violation is usually determined through the permit renewal process with the aid of a computer. On a monthly basis, a list of FSEs whose permits are about to expire is generated by the computer. A designated person is responsible for following up the permit renewal process and identifying noncompliant FSEs. Proper notification and sufficient time is provided to the FSE to ensure that the permit is renewed prior to expiration.

#### **7.1.4 Discharging with Suspended Permit or Discharging with Revoked Permit**

Since these violations do not happen frequently, FSEs with Suspended Permits or Revoked Permits are closely monitored and tracked down by inspectors through actual inspection of the FSE's facility.

### **7.2 Screening for Noncompliance with the BMP Implementation Requirements**

#### **7.2.1 Failure to Implement Required BMPs**

This noncompliance is detected during submission of BMP Self-Monitoring Reports and during routine onsite inspections. The Self-Monitoring Reports indicate BMPs which are not implemented. Information provided by FSE is entered in the computer which automatically detects noncompliance and generates the Corrective Action Notice. Further tracking of the Corrective Action Notice issued is integrated in the computer program which requires subsequent input to indicate whether the FSE has met compliance or a Notice of Violation needs to be issued. This noncompliance is also detected during onsite inspection for which a Corrective Action Notice is issued. Further tracking of the Corrective Action Notice is also done by the computer which requires subsequent input, to indicate whether the FSE has met compliance or a Notice of Violation needs to be issued, after conducting a Follow-up Inspection and Compliance Verification.

#### **7.2.2 Failure to Keep Required Records for Implementing BMPs**

Record-keeping, such as training logs, yellow grease disposal logs, etc., is part of the BMP implementation requirement. Noncompliance with this requirement is detected during onsite inspection for which a Corrective Action Notice is issued. Further tracking of the Corrective Action Notice is done by the computer which requires subsequent input, to indicate whether the FSE has met compliance or a Notice of Violation needs to be issued, after conducting a Follow-up Inspection and Compliance Verification.

## **7.3 Screening for Violations of Grease Interceptor Maintenance Requirements**

### **7.3.1 Violation of the 25% Rule**

During inspection of grease interceptors, the depths of the accumulated solids and FOG are measured to determine compliance with the 25% rule. If noncompliance is detected, a Corrective Action Notice is immediately issued requiring the FSE to immediately pump the full contents of the interceptor within a specified number of days. A Follow-up Inspection and Compliance Verification is conducted to determine if FSE has met compliance. Computer tracking for these events will determine if a Notice of Violation needs to be issued.

### **7.3.2 Failure to Maintain Parts of the Grease Interceptor in Proper Operating Condition**

As part of the grease interceptor inspection, the internal parts are inspected to ensure that they are properly maintained and in good operating condition. When a problem is detected, a Corrective Action Notice is immediately issued requiring the FSE to immediately fix the problem within a specified number of days. Further tracking of the Corrective Action Notice is done by the computer, which requires subsequent input, to indicate whether the FSE has met compliance or a Notice of Violation needs to be issued, after conducting a Follow-up Inspection and Compliance Verification.

### **7.3.3 Failure to Keep Required Records for Grease Interceptor Maintenance**

Record-keeping, such as maintenance records and wastehauling records, is part of the grease interceptor maintenance requirement. Noncompliance with this requirement is detected during onsite inspection for which a Corrective Action Notice is issued. Further tracking of the Corrective Action Notice is done by the computer which requires subsequent input, to indicate whether the FSE has met compliance or a Notice of Violation needs to be issued, after conducting a Follow-up Inspection and Compliance Verification.

## 7.4 Screening for Violations of Reporting Requirements

### 7.4.1 Delinquent Reports

Most reporting violations are caused by delinquent reporting. For purposes of compliance screening, OCSD has established a computerized tracking system for all reporting requirements. When requirements for a specific FSE are established, the information is entered into the computer with a brief description of the requirement and when the requirement is due. Upon submission, the computer database is also updated to indicate that the report has been received. ~~On a weekly basis,~~ The computer generates a report which summarizes all upcoming reports due and overdue reports. Not only does this facilitate tracking and follow-up, but it also provides compliance screening for FSEs who fail to satisfy the reporting requirement. Upcoming requirements which are soon due are flagged by the computer; subsequently, OCSD sends reminders to FSEs to inform them of the upcoming due date as a preventive measure for reporting violation occurrences. Such reminders have proven to be beneficial in preventing this type of violation.

### 7.4.2 Inaccurate Reports

Upon submission of required reports, the information is initially screened by clerical staff for completeness and then reviewed by technical staff for technical content. Compliance screening for inaccurate reports is determined during this process.

## 7.5 Screening for Violations of Administrative Mandates

All requirements of administrative mandates such as Compliance Schedule Agreements are monitored through the computer for compliance. When requirements are established, the information is entered into the computer with the corresponding due date for tracking purposes. Similarly, the computer is updated when the requirements are satisfied. Compliance screening is accomplished through reports generated by the computer which summarize overdue requirements. As a preventive measure, OCSD sends reminders to FSEs to inform them of the requirements with upcoming due dates.

## **7.6 Violations of Ordinance and Special Permit Conditions Detected During Inspections**

Compliance screening for violations occurring at the FSE's facility is determined by inspectors during the course of routine or nonroutine inspections. When noncompliance is detected, a Corrective Action Notice is immediately issued requiring the FSE to immediately correct the problem within a specified number of days. Further tracking of the Corrective Action Notice is done by the computer which requires subsequent input, to indicate whether the FSE has met compliance or a Notice of Violation needs to be issued, after conducting a Follow-up Inspection and Compliance Verification.



## 8 IMPLEMENTING ENFORCEMENT ACTIONS

### *Enforcement responses available*

OCSD's first consideration in developing enforcement responses was to anticipate as many types and patterns of violations as possible that are likely to be encountered, as discussed in Section 7. This way, specific enforcement responses may be formulated. The violations and discrepancies that are identified during the compliance screening process are reviewed to evaluate the type of enforcement response needed. Guidelines are established to:

- Provide guidance in determining procedures to be followed to identify, document and respond to the violations;
- Provide guidance in selecting initial and follow-up enforcement actions;
- Establish staff responsibilities for implementing enforcement actions; and
- Designate suggested time frames for implementing enforcement actions.

OCSD's second consideration was to provide a range of enforcement options that can be used to respond to violations. OCSD uses a comprehensive range of enforcement mechanisms within the legal authorization granted by the Clean Water Act, the state legislature, and OCSD's FOG Ordinance.



## **8.1 Enforcement Responses**

The following describes the range of enforcement options used by OCSD in responding to different types of violations:

### **8.1.1 Corrective Action Notice (CAN)**

Corrective Action Notices are informal notices used to initially address and correct noncompliance to provide the FSE with an opportunity to correct the problem before issuance of a formal Notice of Violation with the associated Noncompliance Fees. The Corrective Action Notice specifies the problem that needs to be corrected and a due date for completion. After the required completion date, OCSD conducts a Compliance Follow-up Inspection and Verification to determine if FSE is in full compliance. Corrective Action Notices are tracked to ensure that appropriate follow-up is consistently conducted.

### **8.1.2 Notices of Violation (NOV)**

When a Corrective Action Notice for noncompliance with permit conditions or Ordinance provisions is issued, a Follow-up Inspection and Compliance Verification follows to determine if FSE has met compliance. When the FSE is found to have failed to correct the problem, a Notice of Violation is issued together with a Noncompliance Fee. The NOV describes the type of violation, and specifies that corrective actions must be taken to preclude escalated enforcement actions.

### **8.1.3 Noncompliance Fees**

When a Notice of Violation is issued, a Noncompliance Fee is typically imposed on the FSE. The fee recovers OCSD's administrative and field costs in dealing with the noncompliance.

### **8.1.4 Compliance Follow-Up Inspection and Verification**

Following issuance of a Corrective Action Notice as a result of noncompliance, OCSD conducts a compliance follow-up inspection to determine whether the FSE has implemented corrective measures and has resolved problems. Based on this inspection, a Notice of Violation is issued if the FSE is found to have failed to correct the problem or the enforcement action is terminated if the noncompliance problem has been resolved.

### **8.1.5 Compliance Audit**

Compliance Audits are conducted by OCSD staff for FSEs who have demonstrated continued or repeated violations. Compliance Audits are performed in order to investigate the cause of the recurring violations, and to assess the level of corrective measures and enforcement actions needed to fully resolve the noncompliance problem. A Compliance Audit is usually followed by a Compliance Meeting.

### **8.1.6 Compliance Meetings**

Compliance Meetings are held when an FSE has demonstrated continued or repeated violations. A Compliance Meeting is usually held after a Compliance Audit has been conducted. The meeting is held at OCSD's administration office, and attendance by the representatives of the FSE is mandatory. During the meeting, the results of the Compliance Audit are discussed, and a plan is developed to establish the corrective actions to be taken by the FSE to achieve long-term compliance.

### **8.1.7 Increased Grease Interceptor Pumping/Maintenance**

OCSD may impose more frequent grease interceptor pumping/maintenance requirements if an FSE has demonstrated continued or repeated violations of the 25% Rule.

### **8.1.8 Order to Cease Noncompliant Discharge**

When OCSD finds that the FSE has continued to discharge wastewater in violation of OCSD's Ordinance or the provisions of its wastewater discharge permit, an Order to Cease Noncompliant Discharge may be issued to stop noncompliant discharge. The Order also notifies the FSE of subsequent enforcement actions that could be taken should violations continue.

### **8.1.9 Compliance Schedule Agreement**

Upon a determination that an FSE is in noncompliance with the terms, conditions or limitations specified in its permit or any provision of OCSD's Ordinance, and that it needs to construct and/or acquire and install pretreatment equipment, OCSD may require the FSE to enter into a Compliance Schedule Agreement. The Compliance Schedule Agreement contains requirements and conditions by which an FSE must operate during its term and provides specific dates for construction and/or acquisition and

installation of required equipment or implementation of corrective actions.

#### 8.1.10 Administrative Complaint/Administrative Fines

Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, OCSD may issue an Administrative Complaint to any FSE that violates any provision of OCSD's Ordinance; any permit condition, prohibition, or effluent limit; or any suspension, revocation or other order. The Administrative Complaint describes the violation, the provision of the law authorizing civil liability to be imposed, and the proposed administrative fine.

The Administrative Complaint also provides notification of the date and location of an administrative hearing regarding the complaint. The hearing is held within 60 days after the complaint is transmitted. The hearing is conducted by a staff member designated by OCSD's General Manager. The FSE may waive its right to a hearing, in which case the hearing is not conducted. At the hearing, the FSE is given an opportunity to respond to the allegations set forth in the Administrative Complaint by presenting written or oral evidence. After the conclusion of the hearing, the hearing officer submits a written report to the General Manager setting forth a statement of facts found to be true, a determination of the issues presented, conclusions and a recommendation. Should the General Manager find that grounds exist for assessment of an administrative fine, his decision and order are issued in writing within 30 days after the conclusion of the hearing. The written decision is then transmitted to the FSE.

Administrative fines may be assessed as follows:

- In an amount not to exceed two thousand (\$2,000.00) for each day for failing or refusing to furnish technical or monitoring reports;
- In an amount not to exceed three thousand dollars (\$3,000.00) for each day for failing or refusing to timely comply with any compliance schedules established by OCSD;
- In an amount not to exceed five thousand dollars (\$5,000.00) per violation for each day of discharge in violation of any waste discharge limit, permit condition, or requirement issued, reissued, or adopted by OCSD;
- In any amount not to exceed ten dollars (\$10.00) per gallon for discharges in violation of any suspension, revocation, cease and desist order or other orders, or prohibition issued, reissued, or adopted by OCSD.

In determining the proposed administrative penalty, OCSD takes into consideration such factors as environmental or physical harm to

the POTW, the good faith efforts of the FSE once it became aware of the problem, the magnitude and frequency of violations, the FSE's history of noncompliance, and economic benefit.

#### **8.1.11 Revocation of Waiver from Grease Interceptor Installation**

Upon determination that an FSE is a major FOG contributor, any existing Waiver from Grease Interceptor Installation may be revoked. Upon revocation of the waiver, the grease interceptor installation requirement is included in the permit and immediately implemented.

#### **8.1.12 Revocation of Variance from Grease Interceptor Requirements**

Upon determination by OCSD that the Variance from Grease Interceptor Requirements is no longer appropriate, OCSD may revoke the variance and pursue installation of a standard grease interceptor.

#### **8.1.13 Permit Suspension**

A permit may be suspended when it is determined that an FSE has:

- Failed to comply with the terms and conditions of a Compliance Schedule Agreement.
- Knowingly provided a false statement, representation, record, report, or other document to OCSD.
- Refused to provide records, reports, plans, or other documents required by OCSD to determine permit terms, conditions, discharge compliance, or compliance with the Ordinance.
- Falsified, tampered with, or knowingly rendered inaccurate any monitoring device or sample collection method.
- Failed to report significant changes in operations or wastewater constituents and characteristics.
- Refused reasonable access to the FSE's premises for the purpose of inspection and monitoring.
- Failed to make timely payment of all amounts owed to OCSD for user charges, non-compliance sampling fees, permit fees, or any other fees imposed pursuant to this Ordinance.
- Violated any condition or limit of a discharge permit or any provision of OCSD's Ordinance.

Upon determination that there are reasonable grounds for permit suspension, the FSE is provided a written notice with the date and location of the administrative hearing. The hearing is held within 15

- 45 days after the notice is transmitted. The hearing is conducted by a staff member designated by OCSD's General Manager.

At the suspension hearing, the FSE is given an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. After the conclusion of the hearing, the hearing officer submits a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation. Should the General Manager find that grounds exist for suspension of the permit, his decision and order is issued in writing within 30 days after the hearing. The written decision is then transmitted to the FSE.

#### 8.1.14 Permit Revocation

A permit may be revoked when it is determined that an FSE:

- Knowingly provided a false statement, representation, record, report, or other document to OCSD.
- Refused to provide records, reports, plans, or other documents required by OCSD to determine permit terms, conditions, discharge compliance, or compliance with the Ordinance.
- Falsified, tampered with, or knowingly rendered inaccurate any monitoring device or sample collection method.
- Failed to report significant changes in operations or wastewater constituents and characteristics.
- Failed to comply with the terms and conditions of a Compliance Schedule Agreement or permit suspension.
- Discharged effluent to OCSD's sewerage system while its permit was suspended.
- Refused reasonable access to the FSE's premises for the purpose of inspection and monitoring.
- Failed to make timely payment of all amounts owed to OCSD for user charges, non-compliance sampling fees, permit fees, or any other fees imposed pursuant to the Ordinance.
- Caused interference or pass-through with OCSD's collection, treatment, or disposal system.
- Violated any condition or limitations of its discharge permit or any provision of OCSD's Ordinance.

Upon determination that there are reasonable grounds for permit revocation, the FSE is provided a written notice with the date and location of the administrative hearing. The hearing is held within 15 - 45 days after the notice is transmitted. The hearing is conducted by a staff member designated by OCSD's General Manager.

At the revocation hearing, the FSE is given an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. After the conclusion of the hearing, the hearing officer submits a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation. Should the General Manager find that grounds exist for revocation of the permit, his decision and order is issued in writing within 30 days after the date of the hearing. The written decision is then transmitted to the FSE.

#### **8.1.15 Order to Terminate Discharge**

An Order to Terminate Discharge may be used to require an FSE to physically terminate its sewerage service if the FSE has failed to comply with an Emergency Suspension Order or Permit Revocation Order; or if an FSE without a valid permit fails to immediately cease and desist discharge.

#### **8.1.16 Emergency Suspension Order**

OCS D may suspend sewerage service by order of the General Manager when it is determined that a suspension is necessary in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, or to the environment, or may cause interference with OCS D's sewerage facilities or operations, or may cause OCS D to violate any Local, State or Federal Law Regulation. Any discharger notified of and subject to an Emergency Suspension Order is required to immediately cease and desist the discharge of all wastewater to the sewerage system. Within five days of the issuance of an Emergency Suspension Order, the General Manager holds a hearing to provide the FSE with an opportunity to provide information in opposition to the order. The General Manager then issues a written decision within two business days following the hearing, and the decision is transmitted to the FSE.

#### **8.1.17 Civil Penalties (Judicial)**

Pursuant to the authority of California Government Code Sections 54739 - 54740 and the Clean Water Act, 33 U.S.C. Section 1251 et seq., any person who violates any provision of OCS D's Ordinance, or any permit condition, prohibition or effluent limit is potentially liable civilly up to \$25,000.00 per violation for each day in which such violation occurs. This action is initiated by OCS D's General Counsel, upon order of the General Manager, by petitioning the Superior Court to impose, assess and recover such penalties, or such

other penalties as OCSD may impose, assess, and recover pursuant to Federal and/or State legislative authorization.

#### **8.1.18 Injunction**

OCSD may petition the Superior Court for the issuance of a preliminary or permanent injunction, or both, to restrain or prevent continued or threatened violations of the Ordinance, an FSE's permit, or any Federal Pretreatment Standard or requirement.

#### **8.1.19 Physical Termination of Service**

OCSD may physically terminate sewerage service to any property pursuant to the terms of any order of emergency suspension or revocation of a permit or upon the failure of a person not holding a valid discharge permit to immediately cease discharge, whether direct or indirect, to OCSD's sewerage facilities.

#### **8.1.20 Criminal Penalties**

Any person who violates OCSD's Ordinance is guilty of committing a misdemeanor, and if convicted, is punishable by a fine up to \$1,000.00, or imprisonment up to 30 days, or both. Each violation and each day of violation may constitute a separate violation of the Ordinance.

#### **8.1.21 Financial Security**

FSEs subject to enforcement or collection proceedings may be required to provide financial security to guarantee performance or to pre-pay charges before permission is granted to discharge to the sewer.

### **8.2 Criteria for Determining Appropriate Enforcement Actions**

After identifying various types of violations and establishing a range of available enforcement options, the specific enforcement response must be selected. To ensure that the enforcement response selected is appropriate in relation to the seriousness of the violation, the following criteria are utilized:

- Magnitude of Violation
- Duration and Frequency of Violation



- Effect of Violation on Public Health and the Environment
- Effect of Violation on OCSD's Workers and Sewerage System
- Compliance History of the FSE
- Good Faith Efforts of the FSE to Eliminate Compliance

### **8.2.1 Magnitude of Violation**

Some violations of an isolated or insignificant nature may be dealt with by an informal enforcement action such as a reminder letter, Corrective Action Notice or the issuance of a Notice of Violation. However, violations of a significant nature, even a single occurrence, can threaten the public health and the environment, or damage OCSD's sewerage system. For this reason, the magnitude of violation is an important factor in determining the appropriate level of response.

### **8.2.2 Duration and/or Frequency of Violation**

Regardless of the magnitude, the duration and/or frequency of violation must be considered in determining an enforcement response. All else being equal, violations which continue over extended periods of time are subject to more escalated levels of response.

### **8.2.3 Effect of Violation on Public Health and the Environment**

The actual or potential effect of a violation on public health and the environment is a significant factor in determining the level of response. In situations where there is an imminent threat to public health and the environment, OCSD may immediately suspend sewerage service. The level of response is related to the impact of the violation, and is also devised to recover any costs incurred by OCSD. For example, if the violation has resulted in SSO to a penalty imposed on OCSD, the FSE would be responsible for the penalty amount.

### **8.2.4 Effect of Violation on OCSD's Workers and Sewerage System**

Some discharge violations may result in adverse effects on OCSD's workers and/or sewerage system. Adverse effects on the sewerage system can include harm to equipment, processes, or operations; contamination of wastewater or biosolids; and damage or obstruction to the collection system. The level of response is related to the impact of the violation, and is also devised to recover any costs incurred by OCSD as a result of the violation.

### 8.2.5 Compliance History of the FSE

The compliance history of the FSE must be considered in determining the appropriate level of response to a violation. In addition, the various aspects of the compliance history should be taken into consideration including the status of the FSE's pretreatment equipment, operation and maintenance efforts, waste minimization efforts, etc.

### 8.2.6 Good Faith Efforts of the FSE to Eliminate Noncompliance

The good faith efforts of an FSE, once it is aware of a violation, plays a role in determining the appropriate level of response to a violation. Good faith efforts must be compared against the criteria provided in the Clean Water Act:

"The Act requires industry to take extraordinary efforts if the vital and ambitious goals of the Congress are to be met. This means that business-as-usual is not enough. Prompt, vigorous, and in many cases, expensive pollution control measures must be initiated and completed as promptly as possible. In assessing the good faith of a discharger, the discharger is to be judged against these criteria. Moreover, it is an established principle, which applies to this act, that administrative and judicial review are sought on the discharger's own time."

Legislative History of the Clean Water Act No. 95-14, Vol. 3, p.463

# Appendices

## **Appendix A**

Fats, Oils, and Grease (FOG) Ordinance for Food Service Establishments  
Ordinance No. OCSD-25

## **Appendix B**

Wastewater Discharge Regulations Ordinance No. OCSD-53

## **Appendix C**

Establishing Fats, Oils, and Grease Control Program Fees Applicable to Food Service Establishments  
Resolution No. OCSD 05-04

## **Appendix D1**

FOG Permit Type 1 – BMP Only

## **Appendix D2**

FOG Permit Type 2 – BMP and GI

## **Appendix E**

Kitchen BMP Training Materials

## **Appendix F1**

FOG Ordinance: Core Elements

## **Appendix F2**

FOG Fact Sheet

## **Appendix F3**

FOG Definitions

## **Appendix F4**

FOG Issues: Frequently Asked Questions

## **Appendix F5**

FOG Source Control Program

## **Appendix F6**

FOG Source Control Program Frequently Asked Questions

## **Appendix F7**

FOG Prohibitions

## **Appendix F8**

General Best Management Practices for FOG

## **Appendix F9**

Kitchen Best Management Practices

**Appendix F10**

Managing Food Materials

**Appendix F11**

Food Service Waste Reduction

**Appendix F12**

Restaurant Oil and Grease Rendering

**Appendix F13**

Grease Interceptors

**Appendix F14**

Design Guidelines for Grease Interceptors

**Appendix G1**

BMP Inspection Report

**Appendix G2**

CAN (Corrective Action Notice)

**Appendix G3**

Certification of Hand Delivery

**Appendix H1**

BMP Training Log

**Appendix H2**

GI Maintenance Log

**Appendix H3**

Yellow Grease Log

**Appendix I**

FOG Permit Application Packet

## Errata Sheet



**ERRATA SHEET FOR: Fats, Oils, and Grease Source Control Program and Enforcement Management System - 2005 (OC San SSMP APP\_F)**

DATE: 9/25/2022		BY: Lori McKinley, Principal Environmental Specialist, Resource Protection Division		
PAGE	SECTION	NOW READS	SHOULD READ	REASON FOR CHANGE
1	Introduction	General Waste Discharge Requirements for Sewage Collection Agencies in Orange County, Order No. R8-2002-0014.	State Water Resources Control Board Order No. 2006-0003-DWQ.	Updated
1	Introduction	Appendix D1	Appendix A	Updated
1	Introduction	OCSD-01	OCSD-53	Updated
1	Introduction	Appendix D2	Appendix B	
3	3 OCDS's FOG Source Control Program	OCSD established the following essential elements to implement an effective FOG Source Control Program for FSEs in the city of Tustin and unincorporated areas within OCSD's jurisdiction:	In 2016, the Orange County Local Agency Formation Commission approved East Orange County Water District's application to accept the transfer of sewers within OC San's Service Area 7, which included the Tustin area and a few unincorporated areas of Orange County. One area in particular was the local sewers in the northern Tustin area. With the transfers of those sewer lines, OC San no longer had jurisdiction over the FSEs connected to the local sewers in that area. OC San now has a fixed, defined set of sites having FSEs that discharge directly to our trunklines.	Updated
4	3.1 Legal Authority	Appendix D3	Appendix C	Updated
5	3.1 Implementation of FOG Pretreatment Requirement for Existing FSEs	delayed in its implementation (through a conditional waiver) by the FOG Control Manager for a maximum period of three years from the effective date of the Ordinance.	waived.	No longer a three-year period
6	3.1 Conditional Waiver from Installation of Grease Interceptor	This waiver may also be issued to existing FSEs to delay implementation of the requirement up to a maximum of three years from the effective date of the Ordinance.	Verbiage deleted	No longer a three-year period
11	3.2.2 Program Provisions to Update Inventory of FSEs	OCSD partnered with the City of Tustin's Community Development Department - Building Division, to identify new construction or major renovation of FSEs exceeding \$50,000. When a building permit is issued by the Building Division, the prospective FSE is also given a FOG Wastewater Discharge Permit Application. Upon notification by the Building Division, OCSD staff conducts an inspection to collect the necessary information needed to issue a new FOG Wastewater Discharge Permit. An Inspection Card, issued by the City of Tustin for each building permit, contains a sign off provision for OCSD to provide the opportunity to inform the city's Building Division that the FSE has met OCSD's requirements, including issuance of a valid FOG Wastewater Discharge Permit. This allows the city to complete the business license procedure and issue the certificate of occupancy to the FSE. This procedure ensures that OCSD's FOG discharge requirements are satisfied prior to discharge.	Verbiage deleted	Updated
12	3.2.2 Program Provisions to Update Inventory of FSEs	OCSD obtains and reviews, on a periodic basis, a list of FSEs from the City of Tustin's Business License Division to identify new FSEs. This enables OCSD to identify new FSEs based on change of ownership that did not go through the building permit process.	Verbiage deleted	Updated

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DATE: 9/25/2022		BY: Lori McKinley, Principal Environmental Specialist, Resource Protection Division		
PAGE	SECTION	NOW READS	SHOULD READ	REASON FOR CHANGE
12	3.2.2 Program Provisions to Update Inventory of FSEs	N/A	OC San conducts additional search activities by routinely visiting Orange parcels located in the OC San FOG service area.	Added additional information
13	3.3.1 Comprehensive Permit	Appendix E1	Appendices D1 and D2	Updated
13	3.3.4 Permit Informational Materials	Appendix E1	Appendices D1 or D2	Updated
13	3.3.4 Permit Informational Materials	Appendix E2	Appendix E	Updated
13	3.3.4 Permit Informational Materials	Appendix E3	Appendices F1 - F14	Updated
14	3.3.4 Permit Informational Materials	Appendix E4	Appendix A	Updated
14	3.3.4 Permit Informational Materials	Appendix E5	Appendices G1 - G3	Updated
14	3.3.4 Permit Informational Materials	Appendix E6	Appendices H1 - H3	Updated
16	3.5.1 Staffing Resources	The effectiveness of the control mechanisms (permit and ordinance) established for implementing the FOG Source Control Program is enhanced by a well-qualified and competent staff. OCSD's Source Control Division administers the FOG Source Control Program. This program is staffed by five highly qualified Environmental Specialists/Engineers with bachelor's/master's degrees in either science or engineering and with years of experience in implementing the National Pretreatment Program. In addition, OCSD utilizes the services of Environmental Compliance Inspection Service (ECIS) to conduct routine inspections for BMP and grease interceptors. The continued success of OCSD's pretreatment program is enhanced by the expertise, experience, and skills of the staff developing and implementing the program. These resources are utilized both to attain the goals of the FOG Source Control Program and to work in cooperation with FSEs and the public to protect the environment.	The effectiveness of the control mechanisms (permit and ordinance) established for implementing the FOG Source Control Program is enhanced by a well-qualified and competent staff. OCSD's Source Control Division administers the FOG Source Control Program. The continued success of OCSD's pretreatment program is enhanced by the expertise, experience, and skills of the staff developing and implementing the program. These resources are utilized both to attain the goals of the FOG Source Control Program and to work in cooperation with FSEs and the public to protect the environment.	Not accurate

**ERRATA SHEET FOR: Fats, Oils, and Grease Source Control Program and Enforcement Management System - 2005 (OC San SSMP APP\_F)**

<b>DATE:</b> 9/25/2022		<b>BY:</b> Lori McKinley, Principal Environmental Specialist, Resource Protection Division		
<b>PAGE</b>	<b>SECTION</b>	<b>NOW READS</b>	<b>SHOULD READ</b>	<b>REASON FOR CHANGE</b>
16	3.5.2 Training	Training is an integral part of OCSD's staff development program. The need for a well-trained staff that is thoroughly familiar with the pretreatment regulations, FOG Source Control Program, policies and procedures, and computer applications cannot be over- emphasized. Therefore, OCSD's Source Control Division has established formal training programs for both new and existing staff utilizing both internal and external resources.	Training is an integral part of OCSD's staff development program. The need for a well-trained staff that is thoroughly familiar with the pretreatment regulations, FOG Source Control Program, policies and procedures, and computer applications cannot be over- emphasized.	No established formal training program
16	3.5.2 .1 New Staff	<p><b>3.5.2.1 New Staff</b></p> <p>The training of new staff is an intensive process lasting six months to one year, starting with a formal introduction to the program under the guidance of senior staff. A training schedule is developed, tailored to the position and needs of the new staff, which involves familiarization with materials on pretreatment regulations, FOG Ordinance and policies and procedures, kitchen BMPs, and FOG pretreatment equipment and waste management practices. After completing the formal training program, the knowledge obtained is further reinforced through on-the-job training.</p>	Verbiage deleted	Currently not done
17	3.5.2 Existing Staff	<p><b>3.5.2 Existing Staff</b></p> <p>The training of existing staff is on-going, and it involves both technical and general training to maintain and augment skills and knowledge needed to perform the job.</p>	<p><b>3.5.2 Existing Staff</b></p> <p>The training of staff is on-going, and it involves both technical and general training to maintain and augment skills and knowledge needed to perform the job.</p>	Removed "existing"



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PAGE	SECTION	NOW READS	SHOULD READ	REASON FOR CHANGE
17	3.5.2.2 Existing Staff	<p>On a continuous basis, staff receives training on both commercial computer software and OCSD's programs created in-house to enable the staff to effectively and efficiently conduct their duties. Examples of these programs include Excel, Word, Access, and OCSD's FOG software. Other types of training include time management, project management, budget development, performance assessment, confined space entry, first aid, First Responder training, LEL detection, defensive driving, and developing management and supervisory skills. Continuous on-the-job training through regular staff meetings is conducted to update staff on new regulations, pollution prevention, pretreatment system, policies and procedures, etc. OCSD also provides opportunities, in the form of tuition reimbursement and flexible schedules, for staff to increase their knowledge by taking courses at colleges and universities that relate to the duties performed by staff.</p> <p>Staff also participates in conferences and training seminars throughout the country to be kept knowledgeable on the latest technologies and regulations. For example, staff regularly attend the Cal FOG Work Group, California Water Environment Association (CWEA), National Association of Clean Water Agencies (NACWA, formerly AMSA), and Water Environment Federation (WEF) conferences and training seminars, and field staff have participated in conferences and training seminars throughout the country to be up-to-date on the latest technologies available in sampling and monitoring equipment.</p> <p>When new programs are implemented, staff receives specialized training to execute and conduct the tasks required by the program. For example, at the implementation phase of the FOG Source Control Program, OCSD's staff attended an Advanced Training Course on the Control of Fats, Oils, and Grease sponsored by EPA, WEF and CWEA. Such training program instructs staff and familiarizes them with the issues, technical aspects, and policies and procedures of the program.</p>	<p>On a continuous basis, staff receives training on both commercial computer software and OCSD's programs created in-house to enable the staff to effectively and efficiently conduct their duties. Examples of these programs include Excel, Word, and iPACS. Other types of training include time management, project management, budget development, performance assessment, confined space entry, first aid, First Responder training, LEL detection, defensive driving, and developing management and supervisory skills. Continuous on-the-job training through regular staff meetings is conducted to update staff on new regulations, pollution prevention, pretreatment system, policies and procedures, etc. OCSD also provides opportunities, in the form of tuition reimbursement and flexible schedules, for staff to increase their knowledge by taking courses at colleges and universities that relate to the duties performed by staff.</p> <p>Staff also participates in conferences and training seminars to be kept knowledgeable on the latest technologies and regulations.</p>	Not accurate
18	3.6.2 Stakeholder Involvement and Education	Appendix E3	Appendices F1 - F14	Update
19	3.7 Collaboration with Sewer Maintenance, Engineering Design, Source Control, and Communication Groups	3.7 Collaboration with Sewer Maintenance, Engineering Design, Source Control, and Communication Groups	3.7 Collaboration with Operations and Maintenance (O&M), Engineering, Environmental Services Department and Public Affairs Office	Updated names of departments
19	3.7 Collaboration with Sewer Maintenance, Engineering Design, Source Control, and Communication Groups	Maintenance Department to eliminate root infestation in the sewer, track the emergence of trouble spots (hotspots) in the collection system and take the necessary steps to establish appropriate maintenance frequencies	Operations and Maintenance Department (O&M) to eliminate root infestation in the sewer, track the emergence of trouble spots (hotspots) in the collection system and take the necessary steps to establish appropriate maintenance frequencies	Updated names of departments
19	3.7 Collaboration with Sewer Maintenance, Engineering Design, Source Control, and Communication Groups	Communications Department to provide public outreach to minimize residential FOG discharge.	Public Affairs Office to provide public outreach to minimize residential FOG discharge.	Updated name of PAO

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DATE: 9/25/2022		BY: Lori McKinley, Principal Environmental Specialist, Resource Protection Division		
PAGE	SECTION	NOW READS	SHOULD READ	REASON FOR CHANGE
19	3.7 Collaboration with Sewer Maintenance, Engineering Design, Source Control, and Communication Groups	A collaborative effort is established between the Maintenance Department, Engineering Department, Communications Department, and the Source Control Division to develop a unifying strategy in eliminating SSOs. It is important for the Source Control Division to maintain communication and logistical connectivity to the work practices of the other workgroups. Information obtained from the FOG Source Control Program during the course of its implementation will be fed to the other groups to develop strategies to optimize cleaning of sewer lines and eliminate roots, to identify and fix sewer line structural problems, and to further educate the public.	A collaborative effort is established between the Operations and Maintenance Department, Engineering Department, Public Affairs Office, and the Source Control Division to develop a unifying strategy in eliminating SSOs. It is important for the Source Control Division to maintain communication and logistical connectivity to the work practices of the other workgroups. Information obtained from the FOG Source Control Program during the course of its implementation will be fed to the other groups to develop strategies to optimize cleaning of sewer lines and eliminate roots, to identify and fix sewer line structural problems, and to further educate the public.	Updated names of departments
21	4 Overview of OCSD's FOG Enforcement Management System	Because of the large volume of information handled in maintaining and evaluating permit and enforcement activities, database management becomes an integral part of the FOG Enforcement Management System. OCSD has a sophisticated computer network for this purpose, which utilizes advanced database management softwares such as Oracle, to enhance information storage, retrieval, processing, and evaluation. A custom software specifically designed to administer the FOG Source Control Program is in place, to ensure consistency and efficiency of implementation. The software organizes and enhances monitoring and tracking activities as well as implementation of enforcement actions. Pertinent current information on FSEs is stored in the computer database; similarly, hard copies of documents are stored in files. The FOG software and database system are capable of storing inspection reports, BMP reporting requirements, and grease interceptor maintenance reports among others obtained by OCSD. In addition, the computer tracks due dates for report submittals and requirements imposed on FSEs, and also generates reminders to FSEs prior to the due dates.	Because of the large volume of information handled in maintaining and evaluating permit and enforcement activities, database management becomes an integral part of the FOG Enforcement Management System. OCSD has a sophisticated computer network for this purpose, which utilizes advanced database management softwares such as iPACS, to enhance information storage, retrieval, processing, and evaluation. iPACS is in place, to ensure consistency and efficiency of implementation. The software organizes and enhances monitoring and tracking activities as well as implementation of enforcement actions. Pertinent current information on FSEs is stored in the computer database; similarly, hard copies of documents are stored in files. The FOG software and database system are capable of storing inspection reports, BMP reporting requirements, and grease interceptor maintenance reports among others obtained by OCSD. In addition, the computer tracks due dates for report submittals and requirements imposed on FSEs, and also generates reminders to FSEs prior to the due dates.	Updated data-handling system
24	5.2.1.1	Appendix E7	Appendix I	Updated
25	5.2.1.3 Automated Permit Generation	To enhance management of permit information for each FSE, OCSD maintains a relational database system that allows efficient data storage and retrieval for a variety of applications. This has led to the development of a computerized permit generator developed in-house, which allows a permit document to be generated in approximately less than ten minutes.  After detailed evaluation of the pertinent information and the applicable permit conditions as previously described, the final information is summarized and entered in the permit generator program. The permit document, containing all pertinent information, is quickly generated and is ready for issuance in a matter of minutes	To enhance management of permit information for each FSE, OCSD maintains a relational database system that allows efficient data storage and retrieval for a variety of applications, which includes permit generation.  After detailed evaluation of the pertinent information and the applicable permit conditions as previously described, the final information is summarized and, and the permit document, containing all pertinent information, is quickly generated and is ready for issuance in a matter of minutes	Updated data-handling system
31	7.1.1 Discharging Without a Permit	Working with the City of Tustin's Community Development Department - Building Division, to identify new construction or major renovation of FSEs exceeding \$50,000.	delete verbiage	Not accurate
31	7.1.1 Discharging Without a Permit	Obtaining and reviewing, on a periodic basis, a list of FSEs from the City of Tustin's Business License Division to identify new FSEs.	delete verbiage	Not accurate
31	7.1.1 Discharging Without a Permit	N/A	Visiting parcels located in the OC San FOG service area.	Added additional information

**ERRATA SHEET FOR: Fats, Oils, and Grease Source Control Program and Enforcement Management System - 2005 (OC San SSMP APP\_F)**

<b>DATE:</b> 9/25/2022		<b>BY:</b> Lori McKinley, Principal Environmental Specialist, Resource Protection Division		
<b>PAGE</b>	<b>SECTION</b>	<b>NOW READS</b>	<b>SHOULD READ</b>	<b>REASON FOR CHANGE</b>
34	7.4.1 Delinquent Reports	Most reporting violations are caused by delinquent reporting. For purposes of compliance screening, OCSD has established a computerized tracking system for all reporting requirements. When requirements for a specific FSE are established, the information is entered into the computer with a brief description of the requirement and when the requirement is due. Upon submission, the computer database is also updated to indicate that the report has been received. On a weekly basis, the computer generates a report which summarizes all upcoming reports due and overdue reports. Not only does this facilitate tracking and follow-up, but it also provides compliance screening for FSEs who fail to satisfy the reporting requirement. Upcoming requirements which are soon due are flagged by the computer; subsequently, OCSD sends reminders to FSEs to inform them of the upcoming due date as a preventive measure for reporting violation occurrences. Such reminders have proven to be beneficial in preventing this type of violation.	Most reporting violations are caused by delinquent reporting. For purposes of compliance screening, OCSD has established a computerized tracking system for all reporting requirements. When requirements for a specific FSE are established, the information is entered into the computer with a brief description of the requirement and when the requirement is due. Upon submission, the computer database is also updated to indicate that the report has been received. The computer generates a report which summarizes all upcoming reports due and overdue reports. Not only does this facilitate tracking and follow-up, but it also provides compliance screening for FSEs who fail to satisfy the reporting requirement. Upcoming requirements which are soon due are flagged by the computer; subsequently, OCSD sends reminders to FSEs to inform them of the upcoming due date as a preventive measure for reporting violation occurrences. Such reminders have proven to be beneficial in preventing this type of violation.	Removed "on a weekly basis"
46	Appendices	N/A	Added list of appendices	Added additional information
48	Errata Sheet	N/A	Added Errata Sheet	Added additional information

## **Appendix A**

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Fats, Oils, and Grease (FOG) Ordinance for Food  
Service Establishments  
Ordinance No. OCSD-25

**ORDINANCE NO. OCSD-25**

**ADOPTING FATS, OILS AND GREASE CONTROL REGULATIONS  
APPLICABLE TO FOOD SERVICE ESTABLISHMENTS**

AN ORDINANCE OF THE BOARD OF DIRECTORS OF ORANGE COUNTY SANITATION DISTRICT ADOPTING FATS, OILS AND GREASE CONTROL REGULATIONS APPLICABLE TO FOOD SERVICE ESTABLISHMENTS

WHEREAS, pursuant to the County Sanitation District Act, Health & Safety Code §§4700 et seq., the Orange County Sanitation District ("District") has the authority to adopt ordinances relating to the provision of sewer services and facilities, and regulations of those services and facilities; and

WHEREAS, the Regional Water Quality Control Board ("RWQCB") for the Santa Ana Region adopted Order R8-2002-0014, which prescribes general waste discharge requirements prohibiting sanitary sewer overflows ("SSOs") by sewer collection agencies; and

WHEREAS, in Order R8-2002-0014, the RWQCB found that one of the leading causes of SSOs within the Santa Ana Region, which encompasses the District's service area is "grease blockages;" and

WHEREAS, SSOs often caused by discharge of wastewater containing high levels of fat, oils and grease ("FOG"), suspended solids, pathogenic organisms, and other pollutants, may cause temporary exceedances of applicable water quality objectives, pose a threat to the public health, adversely affect aquatic life, and impair the public recreational use and aesthetic enjoyment of surface waters within the District's service area; and

WHEREAS, the 2000-2001 Orange County Grand Jury ("Grand Jury") conducted a survey among 35 wastewater collection and treatment agencies in Orange County and concluded that one of the leading causes of SSOs and sewage spills is sewer lines clogged from the accumulation of FOG discharged from Food Service Establishments; and

WHEREAS, the Grand Jury further concluded that more effective methods of minimizing grease discharges into the sewer system must be developed and implemented to reduce the discharge of FOG to the sewer system in order to prevent sewer blockages and SSOs; and

WHEREAS, Order No. R8-2002-0014 requires the District to monitor and control SSOs and to develop a FOG Control Program by December 30, 2004; and

WHEREAS, in light of the overwhelming evidence that FOG is a primary cause of SSOs, the District desires to implement a FOG Control Program to prevent SSOs; and

WHEREAS, Section 1014 of the 2001 California Plumbing Code, applicable to all occupancies in the State pursuant to the California Building Standards Law, requires the installation of grease traps or interceptors when in the opinion of the Building Official waste pretreatment is required; and

WHEREAS, the foregoing findings indicate that a FOG Control Program is required for Food Service Establishments within the District's jurisdiction to comply with waste discharge regulations and prevent the harmful effects of SSOs; and

WHEREAS, the regulations adopted herein will require existing Food Service Establishments to install grease control devices or interceptors no later than three years from the effective date of this Ordinance, and the Board finds that three years is a reasonable amortization period for existing Food Service Establishments that are operating without a grease control device or grease interceptor; and

WHEREAS, the Board of Directors finds that specific enforcement provisions must be adopted to govern discharges of wastewater to the District's system by Food Service Establishments.

**NOW, THEREFORE,** the Board of Directors does hereby ordain as follows:

## ARTICLE 1 - GENERAL PROVISIONS

### 1.1 PURPOSE AND POLICY

- A. The purpose of this Ordinance is to facilitate the maximum beneficial public use of the District's sewer services and facilities while preventing blockages of the sewer lines resulting from discharges of FOG to the sewer facilities, and to specify appropriate FOG discharge requirements for Food Service Establishments.
- B. This Ordinance shall be interpreted in accordance with the definitions set forth in Section 1.2. The provisions of this Ordinance shall apply to the direct or indirect discharge of all wastewater or waste containing FOG carried to the sewer facilities of the District.
- C. To comply with Federal, State, and local policies and to allow the District to meet applicable standards, provisions are made in this Ordinance for the regulations of wastewater or waste containing FOG discharges to the sewer facilities.
- D. This Ordinance establishes quantity and quality standards on all wastewater and/or waste discharges containing FOG, which may alone or collectively cause or contribute to FOG accumulation in the sewer facilities causing or potentially causing or contributing to the occurrence of SSOs.

### 1.2 DEFINITIONS

- A. Unless otherwise defined herein, terms related to water quality shall be as adopted in the latest edition of Standard Methods for Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation. The testing procedures for waste constituents and characteristics shall be as provided in 40 CFR 136 (Code of Federal Regulations).
- B. Other terms not herein defined are defined as being the same as set forth in the latest adopted applicable editions of the California Codes applicable to building construction adopted pursuant to the California Building Standards Law.
- C. Subject to the foregoing provisions, the following definitions shall apply in this Ordinance:

<b>Best Management Practices</b>	Schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the introduction of FOG to the sewer facilities.
<b>Board</b>	The Board of Directors of the District.
<b>Change in Operations</b>	Any change in the ownership, food types, or operational procedures that have the potential to increase the amount of FOG generated and/or discharged by Food Service Establishments in an amount that alone or collectively causes or creates a potential for SSOs to occur.
<b>Composite Sample</b>	A collection of individual samples obtained at selected intervals based on an increment of either flow or time. The resulting mixture (composite sample) forms a representative sample of the wastestream discharged during the sample period. Samples will be collected when a wastewater discharge occurs.
<b>Discharger</b>	Any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer. Discharger shall mean the same as User.
<b>District</b>	The Orange County Sanitation District.
<b>Sewer Facility or System</b>	Any property belonging to the District used in the treatment, reclamation, reuse, transportation, or disposal of wastewater, or sludge.
<b>Effluent</b>	Any liquid outflow from the Food Service Establishment that is discharged to the sewer.
<b>Fats, Oils, and Grease (“FOG”)</b>	Any substance such as a vegetable or animal product that is used in, or is a by product of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.
<b>FOG Control Program</b>	The FOG Control Program required by and developed pursuant to RWQCB Order No. R8-2002-0014, Section (c)(12)(viii).



<b>FOG Control Program Manager</b>	The individual designated by the District to administer the FOG Control Program. The FOG Control Program Manager is responsible for all determinations of compliance with the program, including approval of discretionary variances and waivers.
<b>FOG Wastewater Discharge Permit</b>	A permit issued by the District subject to the requirements and conditions established by the District authorizing the permittee or discharger to discharge wastewater into the District's facilities or into sewer facilities which ultimately discharge into a District facility.
<b>Food Service Establishment</b>	Facilities defined in California Uniform Retail Food Service Establishments Law (CURFFL) Section 113785, and any commercial entity within the boundaries of the District, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in CURFFL Section 113785. A limited food preparation establishment is not considered a Food Service Establishment when engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.
<b>Food Grinder</b>	Any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation by products for the purpose of disposing it in the sewer system.
<b>Grease Control Device</b>	Any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. "Grease control device" may also include any other proven method to reduce FOG subject to the approval of the District.

<b>Grease Disposal Mitigation Fee</b>	A fee charged to an Owner/Operator of a Food Service Establishment when there are physical limitations to the property that make the installation of the usual and customary grease interceptor or grease control device for the Food Service Establishment under consideration, impossible or impracticable. The Grease Disposal Mitigation Fee is intended to cover the costs of increased maintenance of the sewer system for inspection and cleaning of FOG and other viscous or solidifying agents that a properly employed grease control device would otherwise prevent from entering the sewer system.
<b>Grease Interceptor</b>	A multi-compartment device that is constructed in different sizes and is generally required to be located, according to the California Plumbing Code, underground between a Food Service Establishment and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. These devices must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner on regular intervals to be effective.
<b>Grease Trap</b>	A grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible or impracticable.
<b>General Manager</b>	The individual duly designated by the Board of Directors of the District to administer this Ordinance.
<b>Grab Sample</b>	A sample taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.
<b>Hot Spots</b>	Areas in sewer lines that have experienced sanitary sewer overflows or that must be cleaned or maintained frequently to avoid blockages of sewer system.
<b>Inflow</b>	Water entering a sewer system through a direct stormwater/ runoff connection to the sanitary sewer, which may cause an almost immediate increase in wastewater flows.
<b>Infiltration</b>	Water entering a sewer system, including sewer service connections, from the ground through such means as defective pipes, pipe joints, connections, or manhole walls.

<b>Inspector</b>	A person authorized by the District to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.
<b>Interceptor</b>	A grease interceptor.
<b>Interference</b>	Any discharge which, alone or in conjunction with discharges from other sources, inhibits or disrupts the District's sewer system, treatment processes or operations; or is a cause of violation of the District's NPDES or Waste Discharge Requirements or prevents lawful sludge use or disposal.
<b>Local Sewering Agency</b>	Any public agency or private entity responsible for the collection and disposal of wastewater to the District's sewer facilities duly authorized under the laws of the State of California to construct and/or maintain public sewers.
<b>NPDES</b>	The National Pollutant Discharge Elimination System; the permit issued to control the discharge of liquids or other substances or solids to surface waters of the United States as detailed in Public Law 92-500, Section 402.
<b>New Construction</b>	Any structure planned or under construction for which a sewer connection permit has not been issued.
<b>Permittee</b>	A person who has received a permit to discharge wastewater into the District's sewer facilities subject to the requirements and conditions established by the District.
<b>Person</b>	Any individual, partnership, firm, association, corporation or public agency, including the State of California and the United States of America.
<b>Public Agency</b>	The State of California and/or any city, county, special district, other local governmental authority or public body of or within this State.
<b>Public Sewer</b>	A sewer owned and operated by the District, or other local Public Agency, which is tributary to the District's sewer facilities.

<b>Regulatory Agencies</b>	<p>Regulatory Agencies shall mean those agencies having regulatory jurisdiction over the operations of the District, including, but not limited to:</p> <ul style="list-style-type: none"> <li>a) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA).</li> <li>b) California State Water Resources Control Board (SWRCB).</li> <li>c) California Regional Water Quality Control Board, Santa Ana Region (RWQCB).</li> <li>d) South Coast Air Quality Management District (SCAQMD).</li> <li>e) California Department of Health Services (DOHS).</li> </ul>
<b>Remodeling</b>	<p>A physical change or operational change causing generation of the amount of FOG that exceed the current amount of FOG discharge to the sewer system by the Food Service Establishment in an amount that alone or collectively causes or create a potential for SSOs to occur; or exceeding a cost of \$50,000 to a Food Service Establishment that requires a building permit, and involves any one or combination of the following: (1) Under slab plumbing in the food processing area, (2) a 30% increase in the net public seating area, (3) a 30% increase in the size of the kitchen area, or (4) any change in the size or type of food preparation equipment.</p>
<b>Sample Point</b>	<p>A location approved by the District, from which wastewater can be collected that is representative in content and consistency of the entire flow of wastewater being sampled.</p>
<b>Sampling Facilities</b>	<p>Structure(s) provided at the user's expense for the District or user to measure and record wastewater constituent mass, concentrations, collect a representative sample, or provide access to plug or terminate the discharge.</p>
<b>Sewage</b>	<p>Wastewater.</p>
<b>Sewer Facilities or System</b>	<p>Any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater and sludge.</p>

<b>Sewer Lateral</b>	A building sewer as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system.
<b>Sludge</b>	Any solid, semi-solid or liquid decant, supernate or supernate from a manufacturing process, utility service, or pretreatment facility.
<b>Twenty-five percent (25%) Rule</b>	Requirement for grease interceptors to be maintained such that the combined FOG and solids accumulation does not exceed 25% of the design hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume is maintained to effectively intercept and retain FOG discharged to the sewer system.
<b>User</b>	Any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer system. User shall mean the same as Discharger.
<b>Waste</b>	Sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.
<b>Manifest</b>	That receipt which is retained by the generator of wastes for disposing recyclable wastes or liquid wastes as required by the District.
<b>Waste Minimization Practices</b>	Plans or programs intended to reduce or eliminate discharges to the sewer system or to conserve water, including, but not limited to, product substitutions, housekeeping practices, inventory control, employee education, and other steps as necessary to minimize wastewater produced.
<b>Wastehauler</b>	Any person carrying on or engaging in vehicular transport of waste as part of, or incidental to, any business for that purpose.
<b>Wastewater</b>	The liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer.

**Wastewater  
Constituents and  
Characteristics**

The individual chemical, physical, bacteriological, and other parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.

- D. Words used in this Ordinance in the singular may include the plural and the plural the singular. Use of masculine shall mean feminine and use of feminine shall mean masculine. Shall is mandatory; may is permissive or discretionary.

## ARTICLE 2 - GENERAL LIMITATIONS, PROHIBITIONS, AND REQUIREMENTS ON FATS, OILS, AND GREASE ("FOG") DISCHARGES

### 2.1 FOG DISCHARGE REQUIREMENT

No Food Service establishment shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by the Board or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the Food Service Establishment to the sewer system.

### 2.2 PROHIBITIONS

The following prohibitions shall apply to all Food Service Establishments:

- A. Installation of food grinders in the plumbing system of new constructions of Food Service Establishments shall be prohibited. Furthermore, all food grinders shall be removed from all existing Food Service Establishments within 180 days of the effective date of this Ordinance, except when expressly allowed by the FOG Control Program Manager.
- B. Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the FOG Control Program Manager is obtained.
- C. Disposal of waste cooking oil into drainage pipes is prohibited. All waste cooking oils shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
- D. Discharge of wastewater from dishwashers to any grease trap or grease interceptor is prohibited.
- E. Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors, is prohibited.
- F. Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service, or vice versa, is prohibited.
- G. Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system is prohibited. Grease removed from grease interceptors shall be wastehailed periodically as part of the operation and maintenance requirements for grease interceptors.

- H. Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the design hydraulic depth of the grease interceptor (25% Rule)

### **2.3 FOG WASTEWATER DISCHARGE PERMIT REQUIRED**

No person shall discharge, or cause to be discharged any wastewater from Food Service Establishments directly or indirectly into the sewer system without first obtaining a FOG Wastewater Discharge Permit pursuant to this Ordinance.

### **2.4 BEST MANAGEMENT PRACTICES REQUIRED**

All Food Services Establishments shall implement Best Management Practices in its operation to minimize the discharge of FOG to the sewer system. Detailed requirements for Best Management Practices shall be specified in the permit. This may include kitchen practices and employee training that are essential in minimizing FOG discharge.

### **2.5 FOG PRETREATMENT REQUIRED**

Food Service Establishments are required to install, operate and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of this Ordinance, subject to the variance and waiver provisions of Section 2.6. The grease interceptor shall be adequate to separate and remove FOG contained in wastewater discharges from Food Service Establishments prior to discharge to the sewer system. Fixtures, equipment, and drain lines located in the food preparation and clean up areas of Food Service Establishments that are sources of FOG discharges shall be connected to the grease interceptor. Compliance shall be established as follows:

#### **A. New Construction of Food Service Establishments**

New construction of Food Service Establishments shall include and install grease interceptors prior to commencing discharges of wastewater to the sewer system.

#### **B. Existing Food Service Establishments**

1. For existing Food Service Establishments, the requirement to install and to properly operate and maintain a grease interceptor may be conditionally stayed, that is, delayed in its implementation by the FOG Control Program Manager for a maximum period of three years from the effective date of this Ordinance (3-year Amortization Period). Terms and conditions for application of a stay to a Food Service Establishment shall be set forth in the permit. The Board finds that three years is a reasonable amortization period for existing Food Service Establishments that are operating without a grease interceptor.



2. Existing Food Service Establishments, which have caused or contributed to grease-related blockage in the sewer system, or which have sewer laterals connected to hot spots, or which have been determined to contribute significant FOG to the sewer system by the FOG Control Program Manager based on inspection or sampling, shall be deemed to have reasonable potential to adversely impact the sewer system, and shall install grease interceptors within 180 days upon notification by the District.
3. Existing Food Service Establishments or Food Service Establishments that change ownership, that undergo remodeling or a change in operations as defined in Section 1.2 of this Ordinance, shall be required to install a grease interceptor.

## **2.6 VARIANCE AND WAIVER OF GREASE INTERCEPTOR REQUIREMENT**

### **A. Variance from Grease Interceptor Requirements**

An existing Food Service Establishment may obtain a variance from the grease interceptor requirement to allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, if the Food Service Establishment demonstrates that it is impossible or impracticable to install, operate or maintain a grease interceptor. The FOG Control Program Manager's determination to grant a variance will be based upon, but not limited to, evaluation of the following conditions:

1. There is no adequate space for installation and/or maintenance of a grease interceptor.
2. There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer.
3. The Food Service Establishment can justify that the alternative pretreatment technology is equivalent or better than a grease interceptor in controlling its FOG discharge. In addition, the Food Service Establishment must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through downstream visual monitoring of the sewer system, for at least three months, at its own expense. A Variance may be granted if the results show no visible accumulation of FOG in its lateral and/or tributary downstream sewer lines.

### **B. Conditional Waiver from Installation of Grease Interceptor**

An existing Food Service Establishment may obtain a conditional waiver from installation of a grease interceptor, if the Food Service

Establishment demonstrates that it has negligible FOG discharge and insignificant impact to the sewer system. Although a waiver from installation of grease interceptor may be granted, the Food Service Establishment may be required to provide space and plumbing segregation for future installation of grease interceptor. The FOG Control Program Manager's determination to grant or revoke a conditional waiver shall be based upon, but not limited to, evaluation of the following conditions:

1. Quantity of FOG discharge as measured or as indicated by the size of Food Service Establishment based on seating capacity, number of meals served, menu, water usage, amount of on-site consumption of prepared food and other conditions that may reasonably be shown to contribute to FOG discharges.
2. Adequacy of implementation of Best Management Practices and compliance history.
3. Sewer size, grade, condition based on visual information, FOG deposition in the sewer by the Food Service Establishment, and history of maintenance and sewage spills in the receiving sewer system.
4. Changes in operations that significantly affect FOG discharge.
5. Any other condition deemed reasonably related to the generation of FOG discharges by the FOG Control Program Manager.

C. Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee

For Food Service Establishments where the installation of grease interceptor is not feasible and no equivalent alternative pretreatment can be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a Grease Disposal Mitigation Fee as described in Section 2.8. Additional requirements may be imposed to mitigate the discharge of FOG into the sewer system. The FOG Control Program Manager's determination to grant the waiver with a Grease Disposal Mitigation Fee will be based upon, but not limited to, evaluation of the following conditions:

1. There is no adequate space for installation and/or maintenance of a grease interceptor.
2. There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer.
3. A variance from grease interceptor installation to allow alternative pretreatment technology cannot be granted.

D. Application for Waiver or Variance of Requirement for Grease Interceptor

A Food Service Establishment may submit an application for waiver or variance from the grease interceptor requirement to the FOG Control Program Manager. The Food Service Establishment bears the burden of demonstrating, to the FOG Control Program Manager's reasonable satisfaction, that the installation of a grease interceptor is not feasible or applicable. Upon determination by the FOG Control Program Manager that reasons are sufficient to justify a variance or waiver, the permit will be issued or revised to include the variance or waiver and relieve the Food Service Establishment from the requirement.

E. Terms and conditions

A variance or waiver shall contain terms and conditions that serve as basis for its issuance. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists. The waiver or variance shall be valid so long as the Food Service Establishment remains in compliance with their terms and conditions until the expiration date specified in the variance or waiver.

**2.7 COMMERCIAL PROPERTIES**

Property owners of commercial properties or their official designee(s) shall be responsible for the installation and maintenance of the grease interceptor serving multiple Food Service Establishments that are located on a single parcel.

**2.8 GREASE DISPOSAL MITIGATION FEE**

Food Service Establishments that operate without a grease control interceptor may be required to pay an annual Grease Disposal Mitigation Fee to equitably cover the costs of increased maintenance of the sewer system as a result of the Food Service Establishments' inability to adequately remove FOG from its wastewater discharge. This Section shall not be interpreted to allow the new construction of, or existing Food Service Establishments undergoing remodeling or change in operations to operate without an approved grease interceptor unless the District has determined that it is impossible or impracticable to install or operate a grease control interceptor for the subject facility under the provisions of Section 2.6 of this Ordinance.

- A. The Grease Disposal Mitigation Fee shall be established by ordinance or resolution of the Board of Directors, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the Food Service Establishment resulting from the lack of a grease interceptor or grease control device.

- B. The Grease Disposal Mitigation Fee may be waived or reduced on a no less than an annual basis when the discharger demonstrates to the reasonable satisfaction of the FOG Control Program Manager that they had used best management and waste minimization practices on a regular basis that has significantly reduced the introduction of FOG into the sewer system.
- C. The Grease Disposal Mitigation Fee may not be waived or reduced when the Food Service Establishment does not comply with the minimum requirements of this Ordinance and/or its discharge into the sewer system in the preceding 12 months has caused or potentially caused or contributed alone or collectively, in sewer blockage or SSO in the sewer downstream, or surrounding the Food Service Establishment prior to the waiver request.

**2.9 SEWER SYSTEM OVERFLOWS, PUBLIC NUISANCE, ABATEMENT ORDERS AND CLEANUP COSTS**

Notwithstanding the three-year amortization period established in Section 2.5, Food Service Establishments found to have contributed to a sewer blockage, SSOs or any sewer system interferences resulting from the discharge of wastewater or waste containing FOG, shall be ordered to install and maintain a grease interceptor, and may be subject to a plan to abate the nuisance and prevent any future health hazards created by sewer line failures and blockages, SSOs or any other sewer system interferences. SSOs may cause threat and injury to public health, safety, and welfare of life and property and are hereby declared public nuisances. Furthermore, sewer lateral failures and SSOs caused by Food Service Establishments alone or collectively, are the responsibility of the private property owner or Food Service Establishment, and individual(s) as a responsible officer or owner of the Food Service Establishment. If the District must act immediately to contain and clean up an SSO caused by blockage of a private or public sewer lateral or system serving a Food Service Establishment , or at the request of the property owner or operator of the Food Service Establishment, or because of the failure of the property owner or Food Service Establishment to abate the condition causing immediate threat of injury to the health, safety, welfare, or property of the public, the District's costs for such abatement may be entirely borne by the property owner or operator of the Food Service Establishment, and individual(s) as a responsible officer or owner of the Food Service Establishment(s) and may constitute a debt to the District and become due and payable upon the District's request for reimbursement of such costs.

## **ARTICLE 3 - FOG WASTEWATER DISCHARGE PERMITS FOR FOOD SERVICE ESTABLISHMENTS**

### **3.1 FOG WASTEWATER DISCHARGE PERMIT REQUIRED**

- A. Food Service Establishments proposing to discharge or currently discharging wastewater containing FOG into the District's sewer system shall obtain a FOG Wastewater Discharge Permit from the District.
- B. FOG Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by the District. The conditions of FOG Wastewater Discharge Permits shall be enforced by the District in accordance with this Ordinance and applicable State and Federal Regulations.

### **3.2 FOG WASTEWATER DISCHARGE PERMIT APPLICATION**

- A. Any person required to obtain a FOG Wastewater Discharge Permit shall complete and file with the District prior to commencing or continuing discharges, an application in a form prescribed by the District. The applicable fees shall accompany this application. The applicant shall submit, in units and terms appropriate for evaluation, the following information at a minimum:
  - 1. Name, address, telephone number, assessor's parcel number(s), description of the Food Service Establishment, operation, cuisine, service activities, or clients using the applicant's services.
  - 2. (Whichever is applicable) Name, address of any and all principals/owners/major shareholders of the Food Service Establishment; Articles of Incorporation; most recent Report of the Secretary of State; Business License.
  - 3. Name and address of property owner or lessor and the property manager where the Food Service Establishment is located.
  - 4. Any other information as specified in the application form.
- B. Applicants may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, FOG control device, grease interceptor or other pretreatment equipment and appurtenances by size, location, and elevation for evaluation.
- C. Other information related to the applicant's business operations and potential discharge may be requested to properly evaluate the permit application.
- D. After evaluation of the data furnished, the District may issue a FOG Wastewater Discharge Permit, subject to terms and conditions set forth in

this Ordinance and as otherwise determined by the FOG Control Program Manager to be appropriate to protect the District's sewer system.

### **3.3 FOG WASTEWATER DISCHARGE PERMIT CONDITIONS**

The issuance of a FOG Wastewater Discharge Permit may contain any of the following conditions or limits:

- A. Limits on discharge of FOG and other priority pollutants.
- B. Requirements for proper operation and maintenance of grease interceptors and other grease control devices.
- C. Grease interceptor maintenance frequency and schedule.
- D. Requirements for implementation of Best Management Practices and installation of adequate grease interceptor and/or grease control device.
- E. Requirements for maintaining and reporting status of Best Management Practices
- F. Requirements for maintaining and submitting logs and records, including wastehauling records and waste manifests.
- G. Requirements to self-monitor.
- H. Requirements for the Food Service Establishment to construct, operate and maintain, at its own expense, FOG control device and sampling facilities.
- I. Additional requirements as otherwise determined to be reasonably appropriate by the FOG Control Program Manager to protect the District's system or as specified by other Regulatory Agencies.
- J. Other terms and conditions, which may be reasonably applicable to ensure compliance with this Ordinance.

### **3.4 FOG WASTEWATER DISCHARGE PERMIT APPLICATION FEE**

The FOG Wastewater Discharge Permit Application fee shall be paid by the applicant in an amount adopted by ordinance or resolution of the Board of Directors of the District. Payment of permit application fee must be received by the District upon submission of the permit application. A permittee shall also pay any delinquent invoices in full prior to permit renewal.

### **3.5 FOG WASTEWATER DISCHARGE PERMIT MODIFICATION OF TERMS AND CONDITIONS**

- A. The terms and conditions of an issued permit may be subject to modification and change by the sole determination of the FOG Control Program Manager during the life of the permit based on:

1. The discharger's current or anticipated operating data;
  2. The District's current or anticipated operating data;
  3. Changes in the requirements of Regulatory Agencies which affect the District; or
  4. A determination by the FOG Control Program Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. The Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The FOG Control Program Manager shall review the request, make a determination on the request, and respond in writing.
- C. The Permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

### **3.6 FOG WASTEWATER DISCHARGE PERMIT DURATION AND RENEWAL**

FOG Wastewater Discharge Permits shall be issued for a period not to exceed four (4) years. At least 60 days prior to the expiration of the permit, the user shall apply for renewal of the permit in accordance with the provisions of this Article 3.

### **3.7 EXEMPTION FROM FOG WASTEWATER DISCHARGE PERMIT**

A limited food preparation establishment is not considered a Food Service Establishment and is exempt from obtaining a FOG Wastewater Discharge Permit. Exempted establishments shall be engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.

### **3.8 NON-TRANSFERABILITY OF PERMITS**

FOG Wastewater Discharge Permits issued under this Ordinance are for a specific Food Service Establishment, for a specific operation and create no vested rights.

- A. No permit holder shall assign, transfer, sell any FOG Wastewater Discharge Permit issued under this Ordinance nor use any such permit for or on any premises or for facilities or operations or discharges not expressly encompassed within the underlying permit.
- B. Any permit which is transferred to a new owner or operator or to a new facility is void.

### **3.9 FOG WASTEWATER DISCHARGE PERMIT CHARGE FOR USE**

A charge to cover all costs of the District for providing the sewer service and monitoring shall be established by Ordinance or Resolution of the Board of Directors of the District.



## ARTICLE 4 - FACILITIES REQUIREMENTS

### 4.1 DRAWING SUBMITTAL REQUIREMENTS

Upon request by the District:

- A. Food Service Establishments may be required to submit two copies of facility site plans, mechanical and plumbing plans, and details to show all sewer locations and connections. The submittal shall be in a form and content acceptable to the District for review of existing or proposed grease control device, grease interceptor, monitoring facilities, metering facilities, and operating procedures. The review of the plans and procedures shall in no way relieve the Food Service Establishments of the responsibility of modifying the facilities or procedures in the future, as necessary to produce an acceptable discharge, and to meet the requirements of this Ordinance or any requirements of other Regulatory Agencies.
- B. Applicants may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, FOG control device, grease interceptor or other pretreatment equipment and appurtenances by size, location, and elevation for evaluation.
- C. Food Service Establishments may be required to submit a schematic drawing of the FOG control device, grease interceptor or other pretreatment equipment, piping and instrumentation diagram, and wastewater characterization report.
- D. The District may require the drawings be prepared by a California Registered Civil, Chemical, Mechanical, or Electrical Engineer.

### 4.2 GREASE INTERCEPTOR REQUIREMENTS

- A. All Food Service Establishments shall provide wastewater acceptable to the District, under the requirements and standards established herein before discharging to any public sewer. Any Food Service Establishment required to provide FOG pretreatment shall install, operate, and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of this Ordinance.
- B. Grease interceptor sizing and installation shall conform to the current edition of the Uniform Plumbing Code. Grease interceptors shall be constructed in accordance with the design approved by the FOG Control Program Manager and shall have a minimum of two compartments with fittings designed for grease retention.
- C. The grease interceptor shall be installed at a location where it shall be at all times easily accessible for inspection, cleaning, and removal of accumulated grease.

- D. Access manholes, with a minimum diameter of 24 inches, shall be provided over each grease interceptor chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.

#### **4.3 GREASE TRAP REQUIREMENTS**

- A. Food Service Establishments may be required to install grease traps in the waste line leading from drains, sink, and other fixtures or equipment where grease may be introduced into the sewer system in quantities that can cause blockage.
- B. Sizing and installation of grease traps shall conform to the current edition of the California Plumbing Code.
- C. Grease traps shall be maintained in efficient operating conditions by removing accumulated grease on a daily basis.
- D. Grease traps shall be maintained free of all food residues and any FOG waste removed during the cleaning and scraping process.
- E. Grease traps shall be inspected periodically to check for leaking seams and pipes, and for effective operation of the baffles and flow regulating device. Grease traps and their baffles shall be maintained free of all caked-on FOG and waste. Removable baffles shall be removed and cleaned during the maintenance process.
- F. Dishwashers and food waste disposal units shall not be connected to or discharged into any grease trap.

#### **4.4 MONITORING FACILITIES REQUIREMENTS**

- A. The District may require the Food Service Establishments to construct and maintain in proper operating condition at the Food Service Establishment's sole expense, flow monitoring, constituent monitoring and/or sampling facilities.
- B. The location of the monitoring or metering facilities shall be subject to approval by the FOG Control Program Manager.
- C. Food Service Establishments may be required to provide immediate, clear, safe and uninterrupted access to the FOG Control Program Manager or inspectors to the Food Service Establishment's monitoring and metering facilities.
- D. Food Service Establishments may also be required by the FOG Control Program Manager to submit waste analysis plans, contingency plans, and meet other necessary requirements to ensure proper operation and

maintenance of the grease control device or grease interceptor and compliance with this Ordinance.

- E. No Food Service Establishment shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this Ordinance and the FOG Wastewater Discharge Permit.

#### **4.5 REQUIREMENTS FOR BEST MANAGEMENT PRACTICES**

- A. All Food Service Establishments shall implement best management practices in accordance with the requirements and guidelines established by the District under its FOG Control Program in an effort to minimize the discharge of FOG to the sewer system.
- B. All Food Service Establishments shall be required, at a minimum, to comply with the following Best Management Practices, when applicable:
  - 1. Installation of drain screens. Drain screens shall be installed on all drainage pipes in food preparation areas.
  - 2. Segregation and collection of waste cooking oil. All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure that they do not leak. Licensed wastehaulers or an approved recycling facility must be used to dispose of waste cooking oil.
  - 3. Disposal of food waste. All food waste shall be disposed of directly into the trash or garbage, and not in sinks. Double-bagging food wastes that have the potential to leak in trash bins is highly recommended.
  - 4. Employee training. Employees of the food service establishment shall be trained by ownership/management periodically as specified in the permit, on the following subjects:
    - a) How to “dry wipe” pots, pans, dishware and work areas before washing to remove grease.
    - b) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
    - c) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.

- d) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by the FOG Control Program Manager or an inspector.

5. Maintenance of kitchen exhaust filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filter shall be disposed properly.
6. Kitchen signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

#### **4.6 GREASE INTERCEPTOR MAINTENANCE REQUIREMENTS**

- A. Grease Interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids.
- B. All existing and newly installed grease interceptors shall be maintained in a manner consistent with a maintenance frequency approved by the FOG Control Program Manager pursuant to this section.
- C. No FOG that has accumulated in a grease interceptor shall be allowed to pass into any sewer lateral, sewer system, storm drain, or public right of way during maintenance activities.
- D. Food Service Establishments with grease interceptors may be required to submit data and information necessary to establish the maintenance frequency grease interceptors.
- E. The maintenance frequency for all Food Service Establishments with a grease interceptor shall be determined in one of the following methods:
  1. Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed 25% of the total design hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume is maintained to effectively intercept and retain FOG discharged to the sewer system.

2. All Food Service Establishments with a Grease Interceptor shall maintain their grease interceptor not less than every 6 months.
  3. Grease interceptors shall be fully pumped out and cleaned quarterly when the frequency described in (1) has not been established. The maintenance frequency shall be adjusted when sufficient data have been obtained to establish an average frequency based on the requirements described in (1) and guidelines adopted pursuant to the FOG Control Program. The District may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG Control Program. Based on the actual generation of FOG from the Food Service Establishment, the maintenance frequency may increase or decrease.
  4. The owner/operator of a Food Service Establishment may submit a request to the FOG Control Program Manager requesting a change in the maintenance frequency at any time. The Food Service Establishment has the burden of responsibility to demonstrate that the requested change in frequency reflects actual operating conditions based on the average FOG accumulation over time and meets the requirements described in (1), and that it is in full compliance with the conditions of its permit and this Ordinance. Upon determination by the FOG Control Program Manager that requested revision is justified, the permit shall be revised accordingly to reflect the change in maintenance frequency.
  5. If the grease interceptor, at any time, contains FOG and solids accumulation that does not meet the requirements described in (1), the Food Service Establishment shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the FOG Control Program Manager may also increase the maintenance frequency of the grease interceptor from the current frequency.
- F. Wastewater, accumulated FOG, floating materials, sludge/solids, and other materials removed from the grease interceptor shall be disposed off site properly by wastehaulers in accordance with federal, state and/or local laws.

## ARTICLE 5 - MONITORING, REPORTING, NOTIFICATION, AND INSPECTION REQUIREMENTS

### 5.1 MONITORING AND REPORTING CONDITIONS

#### A. Monitoring for Compliance with Permit Conditions and Reporting Requirements

1. The FOG Control Program Manager may require periodic reporting of the status of implementation of Best Management Practices, in accordance with the FOG Control Program.
2. The FOG Control Program Manager may require visual monitoring at the sole expense of the Permittee to observe the actual conditions of the Food Service Establishment's sewer lateral and sewer lines downstream.
3. The FOG Control Program Manager may require reports for self-monitoring of wastewater constituents and FOG characteristics of the Permittee needed for determining compliance with any conditions or requirements as specified in the FOG Wastewater Discharge Permit or this Ordinance. Monitoring reports of the analyses of wastewater constituents and FOG characteristics shall be in a manner and form approved by the FOG Control Program Manager and shall be submitted upon request of the FOG Control Program Manager. Failure by the Permittee to perform any required monitoring, or to submit monitoring reports required by the FOG Control Program Manager constitutes a violation of this Ordinance and be cause for the District to initiate all necessary tasks and analyses to determine the wastewater constituents and FOG characteristics for compliance with any conditions and requirements specified in the FOG Wastewater Discharge Permit or in this Ordinance. The Permittee shall be responsible for any and all expenses of the District in undertaking such monitoring analyses and preparation of reports.
4. Other reports may be required such as compliance schedule progress reports, FOG control monitoring reports, and any other reports deemed reasonably appropriate by the FOG Control Program Manager to ensure compliance with this Ordinance.

#### B. Record Keeping Requirements

The Permittee shall be required to keep all manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The Permittee shall, upon request, make the manifests,

receipts and invoices available to any District representative, or inspector. These records may include:

1. A logbook of grease interceptor, grease trap or grease control device cleaning and maintenance practices.
2. A record of Best Management Practices being implemented including employee training.
3. Copies of records and manifests of wastehauling interceptor contents.
4. Records of sampling data and sludge height monitoring for FOG and solids accumulation in the grease interceptors.
5. Records of any spills and/or cleaning of the lateral or sewer system.
6. Any other information deemed appropriate by the FOG Control Program Manager to ensure compliance with this Ordinance.

C. Falsifying Information or Tampering with Process

It shall be unlawful to make any false statement, representation, record, report, plan or other document that is filed with the District, or to tamper with or knowingly render inoperable any grease control device, monitoring device or method or access point required under this Ordinance.

## **5.2 INSPECTION AND SAMPLING CONDITIONS**

- A. The FOG Control Program Manager may inspect or order the inspection and sample the wastewater discharges of any Food Service Establishment to ascertain whether the intent of this Ordinance is being met and the Permittee is complying with all requirements. The Permittee shall allow the District access to the Food Service Establishment premises, during normal business hours, for purposes of inspecting the Food Service Establishment's grease control devices or interceptor, reviewing the manifests, receipts and invoices relating to the cleaning, maintenance and inspection of the grease control devices or interceptor.
- B. The FOG Control Program Manager shall have the right to place or order the placement on the Food Service Establishment's property or other locations as determined by the FOG Control Program Manager, such devices as are necessary to conduct sampling or metering operations. Where a Food Service Establishment has security measures in force, the Permittee shall make necessary arrangements so that representatives of the District shall be permitted to enter without delay for the purpose of performing their specific responsibilities.

- C. In order for the FOG Control Program Manager to determine the wastewater characteristics of the discharger for purposes of determining the annual use charge and for compliance with permit requirements, the Permittee shall make available for inspection and copying by the District all notices, monitoring reports, waste manifests, and records including, but not limited to, those related to wastewater generation, and wastewater disposal without restriction but subject to the confidentiality provision set forth in this Ordinance. All such records shall be kept by the Permittee a minimum of two (2) years.

### **5.3 RIGHT OF ENTRY**

Persons or occupants of premises where wastewater is created or discharged shall allow the FOG Control Program Manager, or District representatives, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the discharger's facility is open, operating, or any other reasonable time. No person shall interfere with, delay, resist or refuse entrance to District representatives attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the District's sewer system. In the event of an emergency involving actual or imminent sanitary sewer overflow, District's representatives may access adjoining businesses or properties which share a sewer system with a Food Service Establishment in order to prevent or remediate an actual or imminent sanitary overflow.

### **5.4 NOTIFICATION OF SPILL**

- A. In the event a permittee is unable to comply with any permit condition due to a breakdown of equipment, accidents, or human error or the Permittee has reasonable opportunity to know that his/her/its discharge will exceed the discharge provisions of the FOG Wastewater Discharge Permit or this Ordinance, the discharger shall immediately notify the District by telephone at the number specified in the Permit. If the material discharged to the sewer has the potential to cause or result in sewer blockages or SSOs, the discharger shall immediately notify the local Health Department, City or County, and the District.
- B. Confirmation of this notification shall be made in writing to the FOG Control Program Manager at the address specified in the Permit no later than five (5) working days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.
- C. Such notification shall not relieve the Permittee of any expense, loss, damage or other liability which may be incurred as a result of damage or loss to the District or any other damage or loss to person or property; nor shall such notification relieve the Permittee of any fees or other liability which may be imposed by this Ordinance or other applicable law.



## **5.5 NOTIFICATION OF PLANNED CHANGES**

Permittee shall notify the District at least 60 days in advance prior to any facility expansion/remodeling, or process modifications that may result in new or substantially increased FOG discharges or a change in the nature of the discharge. Permittee shall notify the District in writing of the proposed expansion or remodeling and shall submit any information requested by the District for evaluation of the effect of such expansion on Permittee's FOG discharge to the sewer system.

## ARTICLE 6 - ENFORCEMENT

### 6.1 PURPOSES AND SCOPE

- A. The Board of Directors finds that in order for the District to comply with the laws, regulations, and rules imposed upon it by Regulatory Agencies and to ensure that the District's sewer facilities are protected and are able to operate with the highest degree of efficiency, and to protect the public health and environment, specific enforcement provisions must be adopted to govern the discharges to the District's system by Food Service Establishments.
- B. To ensure that all interested parties are afforded due process of law and that violations are resolved as soon as possible, the general policy of the District is that:
  - 1. Any determination relating to a notice of violation and Compliance Schedule Agreement (CSA) will be made by the FOG Control Program Manager, with a right of appeal by the permittee to the General Manager pursuant to the procedures set forth in Section 6.12.
  - 2. A permittee, or applicant for a permit may request the Board of Directors of the District to hear an appeal of the General Manager's decision pursuant to Section 6.13. Such request may be granted or denied by the Board of Directors.
  - 3. Any permit suspension or revocation recommended by the FOG Control Program Manager will be heard and a recommendation made to the General Manager or other person designated by the General Manager with a right of appeal of the General Manager's order by the permittee to the Board of Directors pursuant to the provisions of Section 6.13.
- C. The District, at its discretion, may utilize any one, combination, or all enforcement remedies provided in Article 6 in response to any permit or Ordinance violations.

### 6.2 DETERMINATION OF NONCOMPLIANCE WITH FOG WASTEWATER DISCHARGE PERMIT CONDITIONS

- A. Inspection Procedures
  - 1. Inspection of Food Service Establishments shall be conducted in the time, place, manner, and frequency determined at the sole discretion of the FOG Control Program Manager.
  - 2. Noncompliance with Best Management Practices, 25% Rule for grease interceptors, maintenance frequency requirements for

grease interceptors, permit discharge conditions, or any discharge provisions of this Ordinance may be determined by an inspection of the Food Service Establishment.

B. Sampling Procedures

1. Sampling of Food Service Establishments shall be conducted in the time, place, manner, and frequency determined at the sole discretion of the District.
2. Non-compliance with mass emission rate limits, concentration limits, permit discharge conditions, or any discharge provision of this Ordinance may be determined by an analysis of a grab or composite sample of the effluent of a user. Non-compliance with mass emission rate limits shall be determined by an analysis of a composite sample of the user's effluent, except that a grab sample may be used to determine compliance with mass emission rate limits when the discharge is from a closed (batch) treatment system in which there is no wastewater flow into the system when the discharge is occurring, the volume of wastewater contained in the batch system is known, the time interval of discharge is known, and the grab sample is homogeneous and representative of the discharge.
3. Any sample taken from a sample point is considered to be representative of the discharge to the public sewer.

C. Noncompliance Fees

Any permittee determined to be in noncompliance with the terms and conditions specified in its permit or with any provision of this Ordinance shall pay a noncompliance fee. The purpose of the noncompliance fee is to compensate the District for costs of additional inspection and follow-up, sampling, monitoring, laboratory analysis, treatment, disposal, and administrative processing incurred as a result of the noncompliance, and shall be in addition to and not in lieu of any penalties as may be assessed pursuant to Sections 6.10 and 6.11. Noncompliance fees shall be in the amount adopted by ordinance or resolution by the District's Board of Directors.

**6.3 COMPLIANCE SCHEDULE AGREEMENT (CSA)**

- A. Upon determination that a permittee is in noncompliance with the terms and conditions specified in its permit or any provision of this Ordinance, or needs to construct and/or acquire and install a grease control device or grease interceptor, the FOG Control Program Manager may require the permittee to enter into a CSA.
- B. The issuance of a CSA may contain terms and conditions including but not limited to requirements for installation of a grease control device,

grease interceptor and facilities, submittal of drawings or reports, audit of waste hauling records, best management and waste minimization practices, payment of fees, or other provisions to ensure compliance with this Ordinance.

- C. The FOG Control Program Manager shall not enter into a CSA until such time as all amounts owed to the District, including user fees, noncompliance sampling fees, or other amounts due are paid in full, or an agreement for deferred payment secured by collateral or a third party, is approved by the FOG Control Program Manager.
- D. If compliance is not achieved in accordance with the terms and conditions of a CSA during its term, the FOG Control Program Manager may issue an order suspending or revoking the discharge permit pursuant to Section 6.4 or 6.5 of this Ordinance.

#### **6.4 PERMIT SUSPENSION**

- A. The General Manager may suspend any permit when it is determined that a permittee:
  - 1. Fails to comply with the terms and conditions of a CSA order.
  - 2. Knowingly provides a false statement, representation, record, report, or other document to the District.
  - 3. Refuses to provide records, reports, plans, or other documents required by the District to determine permit terms or conditions, discharge compliance, or compliance with this Ordinance.
  - 4. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
  - 5. Refuses reasonable access to the permittee's premises for the purpose of inspection and monitoring.
  - 6. Does not make timely payment of all amounts owed to the District for user charges, permit fees, or any other fees imposed pursuant to this Ordinance.
  - 7. Causes interference, sewer blockages, or SSOs with the District's collection, treatment, or disposal system.
  - 8. Violates grease interceptor maintenance requirements, any condition or limit of its discharge permit or any provision of the District's Ordinance.
- B. When the FOG Control Program Manager has reason to believe that grounds exist for permit suspension, he/she shall give written notice thereof by certified mail to the permittee setting forth a statement of the facts and grounds deemed to exist, together with the time and place

where the charges shall be heard by the General Manager or his/her designee. The hearing date shall be not less than fifteen (15) calendar days nor more than forty-five (45) calendar days after the mailing of such notice.

1. At the suspension hearing, the permittee shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the District's General Counsel.
2. If the General Manager designated a hearing officer, after the conclusion of the hearing, the hearing officer shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
3. Upon receipt of the written report of a hearing officer or conclusion of the hearing, if the General Manager conducted the hearing, the General Manager shall make his/her determination and should he/she find that grounds exist for suspension of the permit, he/she shall issue his/her decision and order in writing within thirty (30) calendar days after the conclusion of the hearing. The written decision and order of the General Manager shall be sent by certified mail to the permittee or its legal counsel/representative at the permittee's business address.

C. Effect

1. Upon an order of suspension by the General Manager becoming final, the permittee shall immediately cease and desist its discharge and shall have no right to discharge any wastewater containing FOG directly or indirectly to the District's system for the duration of the suspension. All costs for physically terminating and reinstating service shall be paid by the permittee.
2. Any owner or responsible management employee of the permittee shall be bound by the order of suspension.
3. An order of permit suspension issued by the General Manager shall be final in all respects on the sixteenth (16th) day after it is mailed to the permittee unless a request for hearing is filed with the Board of Directors of the District pursuant to Section 6.13. no later than 5:00 p.m. on the fifteenth (15th) day following such mailing.

## **6.5 PERMIT REVOCATION**

- A. The General Manager may revoke any permit when it is determined that a permittee:

1. Knowingly provides a false statement, representation, record, report, or other document to the District.
2. Refuses to provide records, reports, plans, or other documents required by the District to determine permit terms, conditions, discharge compliance, or compliance with this Ordinance.
3. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
4. Fails to comply with the terms and conditions of permit suspension or CSA.
5. Discharges effluent to the District's sewer system while its permit is suspended.
6. Refuses reasonable access to the permittee's premises for the purpose of inspection and monitoring.
7. Does not make timely payment of all amounts owed to the District for user charges, permit fees, or any other fees imposed pursuant to this Ordinance.
8. Causes interference, sewer blockages, or SSOs with the District collection, treatment, or disposal system.
9. Violates grease interceptor maintenance requirements, any condition or limit of its discharge permit or any provision of the District's Ordinance.

B. Approval. When the FOG Control Program Manager has reason to believe that grounds exist for the revocation of a permit, he/she shall give written notice by certified mail thereof to the permittee setting forth a statement of the facts and grounds deemed to exist together with the time and place where the charges shall be heard by the General Manager or his/her designee. The hearing date shall be not less than fifteen (15) calendar days nor more than forty-five (45) calendar days after the mailing of such notice.

1. At the hearing, the permittee shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The revocation hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the District's General Counsel.
2. If the General Manager designated a hearing officer, after the conclusion of the hearing, the hearing officer shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.

3. Upon receipt of the written report by the hearing officer, or conclusion of the hearing, if the General Manager conducted the hearing, the General Manager shall make his/her determination and should he/she find that grounds exist for permanent revocation of the permit, he/she shall issue his/her decision and order in writing within thirty (30) calendar days after the conclusion of the hearing. The written decision and order of the General Manager shall be sent by certified mail to the permittee or its legal counsel/representative at the permittee's business address.

In the event the General Manager determines to not revoke the permit, he/she may order other enforcement actions, including, but not limited to, a temporary suspension of the permit, under terms and conditions that he/she deems appropriate.

C. Effect

1. Upon an order of revocation by the General Manager becoming final, the permittee shall permanently lose all rights to discharge any wastewater containing FOG directly or indirectly to the District's system. All costs for physical termination shall be paid by the permittee.
2. Any owner or responsible management employee of the permittee shall be bound by the order of revocation.
3. Any future application for a permit at any location within the District by any person associated with an order of revocation will be considered by the District after fully reviewing the records of the revoked permit, which records may be the basis for denial of a new permit.
4. An order of permit revocation issued by the General Manager shall be final in all respects on the sixteenth (16th) day after it is mailed to the permittee unless a request for hearing is filed with the Board of Directors pursuant to Section 6.13 no later than 5:00 p.m. on the fifteenth (15th) day following such mailing.

**6.6 DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL OPERATIONS**

- A. Any person who discharges any waste which causes or contributes to any sewer blockage, SSOs, obstruction, interference, damage, or any other impairment to the District's sewer facilities or to the operation of those facilities shall be liable for all costs required to clean or repair the facilities together with expenses incurred by the District to resume normal operations. A service charge of twenty-five percent (25%) of District's costs shall be added to the costs and charges to reimburse the District for miscellaneous overhead, including administrative personnel and record keeping. The total amount shall be payable within forty five (45) days of invoicing by the District.

- B. Any person who discharges a waste which causes or contributes to the District violating its discharge requirements established by any Regulatory Agency incurring additional expenses or suffering losses or damage to the facilities, shall be liable for any costs or expenses incurred by the District, including regulatory fines, penalties, and assessments made by other agencies or a court.

## **6.7 PUBLIC NUISANCE**

Discharge of wastewater in any manner in violation of this Ordinance or of any order issued by the FOG Control Program Manager or General Manager, as authorized by this Ordinance, is hereby declared a public nuisance and shall be corrected or abated as directed by the FOG Control Program Manager or General Manager. Any person creating a public nuisance is guilty of a misdemeanor.

## **6.8 TERMINATION OF SERVICE**

- A. The District, by order of the General Manager, may physically terminate sewer service to any property as follows:
  - 1. On a term of any order of suspension or revocation of a permit; or
  - 2. Upon the failure of a person not holding a valid FOG Wastewater Discharge Permit to immediately cease the discharge, whether direct or indirect, to the District's sewer facilities after the notice and process in Section 6.5 herein.
- B. All costs for physical termination shall be paid by the owner or operator of the Food Service Establishment or permittee as well as all costs for reinstating service.

## **6.9 EMERGENCY SUSPENSION ORDER**

- A. The District may, by order of the General Manager, suspend sewer service when the General Manager determines that such suspension is necessary in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, or to the environment, or may cause SSOs, sewer blockages, interference to the District's sewer facilities, or may cause the District to violate any State or Federal Law or Regulation. Any discharger notified of and subject to an Emergency Suspension Order shall immediately cease and desist the discharge of all wastewater containing FOG to the sewer system.
- B. As soon as reasonably practicable following the issuance of an Emergency Suspension Order, but in no event more than five (5) business days following the issuance of such order, the General Manager shall hold a hearing to provide the Food Service Establishment or Permittee the opportunity to present information in opposition to the issuance of the Emergency Suspension Order. Such a hearing shall not



stay the effect of the Emergency Suspension Order. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the District's General Counsel. The General Manager shall issue a written decision and order within two (2) business days following the hearing, which decision shall be sent by certified mail to the Food Service Establishment or its legal counsel/representative at that Food Service Establishment's business address. The decision of the General Manager following the hearing shall be final and not appealable to the Board, but may be subject to judicial review pursuant to Section 6.16.

#### **6.10 CIVIL PENALTIES**

- A. All users of the District's system and facilities are subject to enforcement actions administratively or judicially by the District, U.S. EPA, State of California Regional Water Quality Control Board, the County of Orange or District Attorney. Said actions may be taken pursuant to the authority and provisions of several laws, including but not limited to: (1) Federal Water Pollution Control Act, commonly known as the Clean Water Act (33 U.S.C.A. Section 1251 et seq.); (2) California Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.); (3) California Hazardous Waste Control Law (California Health & Safety Code Sections 25100 to 25250); (4) Resource Conservation and Recovery Act of 1976 (42 U.S.C.A Section 6901 et seq.); and (5) California Government Code, Sections 54739-54740.
- B. In the event the District is subject to the payment of fines or penalties pursuant to the legal authority and actions of other regulatory or enforcement agencies based on a violation of law or regulation or its permits, and said violation can be established by the District, as caused by the discharge of any user of the District's system which is in violation of any provision of the District's Ordinance or the user's permit, the District shall be entitled to recover from the user all costs and expenses, including, but not limited to, the full amount of said fines or penalties to which it has been subjected.
- C. Pursuant to the authority of California Government Code Sections 54739 - 54740, any person who violates any provision of this Ordinance; any permit condition, prohibition or effluent limit; or any suspension or revocation order shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. Pursuant to the authority of the Clean Water Act, 33 U.S.C. Section 1251 et seq., any person who violates any provision of this Ordinance, or any permit condition, prohibition, or effluent limit shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. The General Counsel of the District, upon request of the General Manager, shall petition the Superior Court to impose, assess, and recover such penalties, or such other penalties as the District may impose, assess, and recover pursuant to Federal and/or State legislative authorization.

D. Administrative Civil Penalties

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, the District may issue an administrative complaint to any person who violates:
  - a) any provision of this Ordinance;
  - b) any permit condition, prohibition, or effluent limit; or
  - c) any suspension or revocation order.
2. The administrative complaint shall be served by personal delivery or certified mail on the person and shall inform the person that a hearing will be conducted, and shall specify a hearing date within sixty (60) days following service. The administrative complaint will allege the act or failure to act that constitutes the violation of the District's regulations, the provisions of law authorizing civil liability to be imposed, and the proposed civil penalty. The matter shall be heard by the General Manager or his/her designee. The person to whom an administrative complaint has been issued may waive the right to a hearing, in which case a hearing will not be conducted.
3. At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the District's General Counsel.
4. If the General Manager designated a hearing officer, after the conclusion of the hearing, the hearing officer shall submit a written report to the General Manager setting forth a brief statement of the facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
5. Upon receipt of the written report by the hearing officer, or conclusion of the hearing if the General Manager conducted the hearing, the General Manager shall make his/her determination and should he/she find that grounds exist for assessment of a civil penalty against the person, he/she shall issue his/her decision and order in writing within thirty (30) calendar days after the conclusion of the hearing .
6. If, after the hearing or appeal, if any, it is found that the person has violated reporting or discharge requirements, the General Manager or Board of Directors may assess a civil penalty against that person. In determining the amount of the civil penalty, the General Manager or Board of Directors may take into consideration all relevant circumstances, including but not limited to the extent of harm caused by the violation, the economic benefit

derived through any non-compliance, the nature and persistence of the violation, the length of time over which the violation occurs, and corrective action, if any, attempted or taken by the person involved.

7. Civil penalties may be assessed as follows:
  - a) In an amount which shall not exceed two thousand dollars (\$2,000.00) for each day for failing or refusing to furnish required reports;
  - b) In an amount which shall not exceed three thousand dollars (\$3,000.00) for each day for failing or refusing to timely comply with any compliance schedules established by the District;
  - c) In an amount which shall not exceed five thousand dollars (\$5,000.00) per violation for each day of discharge in violation of any waste discharge limit, permit condition, or requirement issued, reissued, or adopted by the District;
  - d) In any amount which does not exceed ten dollars (\$10.00) per gallon for discharges in violation of any suspension, revocation, cease and desist order or other orders, or prohibition issued, reissued, or adopted by the District;
8. An order assessing administrative civil penalties issued by the General Manager shall be final in all respects on the thirty-first (31st) day after it is served on the person unless an appeal and request for hearing is filed with the Board of Directors pursuant to Section 6.13 no later than the thirtieth (30th) day following such mailing. An order assessing administrative civil penalties issued by the Board of Directors shall be final upon issuance.
9. Copies of the administrative order shall be served on the party served with the administrative complaint, either by personal service or by registered mail to the person at his/her/its business or residence address, and upon other persons who appeared at the hearing and requested a copy of the order.
10. Any person aggrieved by a final order issued by the Board of Directors, after granting review of the order of the General Manager, may obtain review of the order of the Board of Directors in the superior court, pursuant to Government Code Section 54740.6, by filing in the court a petition for writ of mandate within thirty (30) days following the service of a copy of the decision or order issued by the Board of Directors.
11. Payment of any order setting administrative civil penalties shall be made within thirty (30) days of the date the order becomes final.

The amount of any administrative civil penalties imposed shall constitute a debt to the District.

12. No administrative civil penalties shall be recoverable for any violation for which the District has recovered civil penalties through a judicial proceeding filed pursuant to Government Code Section 54740.

#### **6.11 CRIMINAL PENALTIES**

Any person who violates any provision of this Ordinance is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed \$1,000.00, or imprisonment for not more than 6 months, or both. Each violation and each day in which a violation occurs may constitute a new and separate violation of this Ordinance and shall be subject to the penalties contained herein.

#### **6.12 APPEALS TO GENERAL MANAGER**

- A. Any Food Service Establishment, permit applicant or permittee affected by any decision, action or determination made by the FOG Control Program Manager or notice of violation issued by any District inspector may file with the General Manager a written request for an appeal hearing. The request must be received by the District within fifteen (15) days of mailing of notice of the decision, action, or determination of the FOG Control Program Manager to the appellant. The request for hearing shall set forth in detail all facts supporting the appellant's request.
- B. The General Manager shall, within fifteen (15) days of receiving the request for appeal, designate a Department Head or other person to hear the appeal and provide written notice to the appellant of the hearing date, time and place. The hearing date shall not be more than thirty (30) days from the mailing of such notice by certified mail to the appellant unless a later date is agreed to by the appellant. If the hearing is not held within said time due to actions or inactions of the appellant, then the staff decision shall be deemed final.
- C. At the hearing, the appellant shall have the opportunity to present information supporting its position concerning the FOG Control Program Manager's decision, action or determination. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the District's General Counsel.
- D. After the conclusion of the hearing, the Department Head (or other designee) shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation whether to uphold, modify or reverse the FOG Control Program Manager's original decision, action or determination. Upon receipt of the written report, the General Manager shall make his/her determination and shall issue his/her decision and order within thirty (30) calendar days of the hearing by his/her designee. The written decision and order of the General Manager

shall be sent by certified mail to the appellant or its legal counsel/representative at the appellant's business address.

The order of the General/City Manager shall be final in all respects on the sixteenth (16th) day after it is mailed to the appellant unless a request for hearing is filed with the Board of Directors pursuant to Section 6.13, no later than 5:00 p.m. on the fifteenth day following such mailing.

### **6.13 APPEALS TO THE BOARD OF DIRECTORS**

- A. Any Food Service Establishment, permit applicant, or permittee adversely affected by a decision, action, or determination made by the General Manager may, prior to the date that the General Manager's order becomes final, file a written request for hearing before the Board of Directors accompanied by an appeal fee in the amount established by a separate resolution of the District's Board of Directors. The request for hearing shall set forth in detail all the issues in dispute for which the appellant seeks determination and all facts supporting appellant's request.

No later than sixty (60) days after receipt of the request for hearing, the Board of Directors shall either set the matter for a hearing, or deny the request for a hearing.

A hearing shall be held by the Board of Directors within sixty-five (65) days from the date of determination granting a hearing, unless a later date is agreed to by the appellant and the Board of Directors. If the matter is not heard within the required time, due to actions or inactions of the appellant, the General Manager's order shall be deemed final.

- B. The Board of Directors shall grant all requests for a hearing on appeals concerning permit suspension, revocation, or denial. Whether to grant or deny the request for a hearing on appeals of other decisions of the General Manager shall be within the sole discretion of the Board of Directors.
- C. The appeal fee shall be refunded if the Board of Directors denies a hearing or reverses or modifies, in favor of the appellant, the order of the General Manager. The fee shall not be refunded if the Board of Directors denies the appeal.
- D. After the hearing, the Board of Directors shall make a determination whether to uphold, modify, or reverse the decision, action, or determination made by the General Manager.

The decision of the Board of Directors shall be set forth in writing within sixty-five (65) days after the close of the hearing and shall contain a finding of the facts found to be true, the determination of issues presented, and the conclusions. The written decision and order of the Board of Directors shall be sent by certified mail to the appellant or its legal counsel/representative at the appellant's business address.

The order of the Board of Directors shall be final upon its adoption. In the event the Board of Directors fails to reverse or modify the General Manager's order, it shall be deemed affirmed.

#### **6.14 PAYMENT OF CHARGES**

- A. Except as otherwise provided, all fees, charges and penalties established by this Ordinance are due and payable upon receipt of notice thereof. All such amounts are delinquent if unpaid forty-five (45) days after date of invoice.
- B. Any charge that becomes delinquent shall have added to it a penalty in accordance with the following:
  - 1. Forty-six (46) days after date of invoice, a basic penalty of ten percent (10%) of the base invoice amount, not to exceed a maximum of \$1,000.00; and
  - 2. A penalty of one and one-half percent (1.5%) per month of the base invoice amount and basic penalty shall accrue from and after the forty-sixth (46th) day after date of invoice.
- C. Any invoice outstanding and unpaid after ninety (90) days shall be cause for immediate initiation of permit revocation proceedings or immediate suspension of the permit.
- D. Penalties charged under this Section shall not accrue to those invoices successfully appealed, provided the District receives written notification of said appeal prior to the payment due date.
- E. Payment of disputed charges is still required by the due date during District review of any appeal submitted by permittees.

#### **Collection of Delinquent Accounts**

Collection of delinquent accounts shall be in accordance with the District's policy resolution establishing procedures for collection of delinquent obligations owed to the District, as amended from time to time by the Board of Directors. Any such action for collection may include an application for an injunction to prevent repeated and recurring violations of this Ordinance.

#### **6.15 FINANCIAL SECURITY/AMENDMENTS TO PERMIT**

##### **A. Delinquent Accounts**

The District may require an amendment to the permit of any Permittee who fails to make payment in full of all fees and charges assessed by the District, including reconciliation amounts, delinquency penalties, and other costs or fees incurred by the Permittee.

B. Bankruptcy

Every Permittee filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy Court, for purposes of discharging its financial debts or obligations or seeking court-ordered, protection from its creditors, shall, within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its permit.

C. Security

An amendment to a waste discharge permit issued, may be conditioned upon the Permittee depositing financial security in an amount equal to the average total fees and charges for two (2) calendar quarters during the preceding year. Said deposit shall be used to guarantee payment of all fees and charges incurred for future services and facilities furnished by District and shall not be used by the District to recover outstanding fees and charges incurred prior to the Permittee filing and receiving protection from creditors in the United States Bankruptcy Court.

D. Return of Security

In the event the Permittee makes payment in full within the time prescribed by this Ordinance of all fees and charges incurred over a period of two (2) years following the issuance of an amendment to the permit, the District shall either return the security deposit posted by the Permittee or credit their account.

**6.16 JUDICIAL REVIEW**

A. Pursuant to Section 1094.6 of the California Code of Civil Procedure, the District hereby enacts this part to limit to ninety (90) days following final decisions in adjudicatory administrative hearings the time within which an action can be brought to review such decisions by means of administrative mandamus.

B. Definitions

As used in this Section, the following terms and words shall have the following meanings:

1. Decision shall mean and include adjudicatory administrative decisions that are made after hearing, or after revoking, suspending, or denying an application for a permit.
2. Complete Record shall mean and include the transcript, if any exists, of the proceedings, all pleadings, all notices and orders, any proposed decision by the District's officers, agents, or employees, the final decision, all admitted exhibits, all rejected exhibits in the possession of the District or its officers, agents or employees, all written evidence, and any other papers in the case.

- C. Time Limit for Judicial Review. Judicial review of any decision of the District or its officer or agent may be made pursuant to Section 1094.5 of the Code of Civil Procedure only if the petition for writ of mandate is filed not later than the ninetieth (90th) day following the date on which the decision becomes final. If there is no provision for reconsideration in the procedures governing the proceedings or if the date is not otherwise specified, the decision is final on the date it is made. If there is provision for reconsideration, the decision is final upon the expiration of the period during which such reconsideration can be sought; provided that if reconsideration is sought pursuant to such provision the decision is final for the purposes of this Section on the date that reconsideration is rejected.
- D. The complete record of the proceedings shall be prepared by the District officer or agent who made the decision and shall be delivered to the petitioner within ninety (90) days after he/she has filed written request therefor. The District may recover from the petitioner its actual costs for transcribing or otherwise preparing the record.
- E. If the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition, pursuant to Section 1094.5 of the Code of Civil Procedure, may be filed shall be extended to not later than the thirtieth (30th) day following the date on which the record is either personally delivered or mailed to the petitioner or the petitioner's attorney of record, if appropriate.
- F. In making a final decision, the District shall provide notice to the party that Section 1094.6 of the Code of Civil Procedure governs the time within which judicial review must be sought.
- G. Notwithstanding the foregoing in this Section 6.16, and pursuant to Government Code Section 54740.6, judicial review of an order of the Board of Directors imposing administrative civil penalties pursuant to Section 6.10.D may be made only if the petition for writ of mandate is filed not later than the thirtieth (30th) day following the day on which the order of the Board of Directors becomes final.



## **ARTICLE 7 - SEVERABILITY**

If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of this entire Ordinance or any of the remaining portions hereof. The Board of Directors hereby declares that it would have passed this Ordinance, and each section, subsection, subdivision, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sees, clauses or phrases be declared unconstitutional or otherwise invalid.

**ARTICLE 8 - EFFECTIVE DATE**

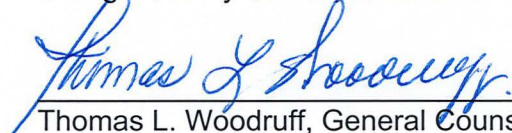
This Ordinance shall take effect January 1, 2005, and a summary shall be published in a newspaper of general circulation as provided by law.

PASSED AND ADOPTED by the Board of Directors of Orange County Sanitation District this 17th day of November, 2004.

  
Vice Chair, Board of Directors  
Orange County Sanitation District

Attest:

  
Secretary of the Board of Directors  
Orange County Sanitation District

  
Thomas L. Woodruff, General Counsel  
Orange County Sanitation District

STATE OF CALIFORNIA )  
 )SS.  
COUNTY OF ORANGE )


I, PENNY M. KYLE, Secretary of the Board of Directors of Orange County Sanitation District, do hereby certify that the above and foregoing Ordinance No. OCSD-25 was passed and adopted at a regular meeting of said Board on the 17<sup>th</sup> day of November, 2004, by the following vote, to wit:

AYES: James M. Ferryman, Board Vice Chair; Don Bankhead; Patricia Bortle; Carolyn Cavecche; Alberta Christy; John Collins; Doug Davert; Mike Duvall; Norm Eckenrode; Cathy Green; Alice Jempsa; Beth Krom; Shirley McCracken; Darryl Miller; Roy Moore; Joy L. Neugebauer; Anna Piercy; Tod Ridgeway; Jim Silva; Paul Walker; Paul Yost

NOES: None

ABSENT: Steve Anderson, Board Chair; Bill Dalton; Brian Donahue; Patsy Marshall

IN WITNESS WHEREOF, I have hereunto set my hand this 17<sup>th</sup> day of November, 2004.

  
\_\_\_\_\_  
Penny M. Kyle  
Secretary of the Board of Directors  
Orange County Sanitation District

## **Appendix B**

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Wastewater Discharge Regulations  
Ordinance No. OCSD-53

ORDINANCE NO. OCSD-53

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
ORANGE COUNTY SANITATION DISTRICT AMENDING  
WASTEWATER DISCHARGE REGULATIONS, AND  
REPEALING ORDINANCE NO. OCSD-48

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The Board of Directors of the Orange County Sanitation District (OCSD) does hereby FIND:

- A. That OCSD is required by federal and state law, including the Clean Water Act (33 U.S.C. 1251, et seq.), the General Pretreatment Regulations (40 CFR 403), and the Porter-Cologne Water Quality Control Act (Water Code § 13000, et seq.), to implement and enforce a program for the regulation of Wastewater discharges to OCSD’s sewers; and
- B. That OCSD is required by federal, state, and local law to meet applicable standards of treatment plant effluent quality; and
- C. That the adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations Section 15273(a) and categorically exempt pursuant to California Code of Regulations Sections 15307 and 15308.
- D. That OCSD operates and maintains a separate sewer system of pipes, pumps stations, intercepting sewer lines, and other conveyances upstream of its wastewater treatment plant headworks to collect and convey domestic, commercial and industrial wastewater, and is not designed to collect large amounts of storm water runoff from precipitation events.
- E. That OCSD implements a system-specific Sewer System Management Plan which includes provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems in compliance with the California Statewide General Waste Discharge Requirements, Systems, Water Quality Order No. 2006-0003-DWQ For Wastewater Collection Agencies.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District does ORDAIN:

Section I: Wastewater Discharge Regulations governing the use of OCSD’s Sewerage Facilities are hereby restated and amended to provide as follows:

ARTICLE 1. GENERAL PROVISIONS

101. PURPOSE AND POLICY

This ordinance sets uniform requirements for Users of OCSD’s Sewerage Facilities and enables OCSD to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code [U.S.C.] 1251, et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). This Ordinance

shall be interpreted in accordance with the definitions set forth in Section 102. The provisions of the Ordinance shall apply to the direct or indirect discharge of all liquid wastes carried to facilities of OCSD.

- A. The purpose of this Ordinance is to provide for the maximum public benefit from the use of OCSD's Sewerage Facilities. This shall be accomplished by regulating sewer use and Wastewater discharges; by providing equitable distribution of costs, in compliance with applicable federal, state, and local regulations; and by supporting the proper disposal of Prescription Drugs as noted in the guidelines published by the Office of National Drug Control Policy. The revenues to be derived from the application of this Ordinance shall be used to defray all costs of providing sewerage service by OCSD, including, but not limited to, administration, operation, monitoring, maintenance, financing, capital construction, replacement and recovery, and provisions for necessary reserves;
- B. This ordinance is meant to protect both OCSD personnel who may be affected by Wastewater, sludge, and biosolids in the course of their employment and the general public.
- C. To comply with federal, state, and local policies and to allow OCSD to meet applicable standards of treatment plant effluent quality, biosolids quality, and air quality, provisions are made in this Ordinance for the regulation of Wastewater discharges to the public sewer. This Ordinance establishes quantity and quality limits on all Wastewater discharges which may adversely affect OCSD's Sewerage System, processes, effluent quality, biosolids quality, air emission characteristics, or inhibit OCSD's ability to beneficially reuse or dispose of its treated Wastewater, biosolids or meet biosolids discharge criteria.
- D. It is the intent of these limits to improve the quality of Wastewater being received for treatment and to encourage water conservation and Wastewater minimization by all Users connected to a public sewer. This Ordinance also provides for regulation of the degree of Wastewater Pretreatment required, the issuance of permits for Wastewater discharge and connections and other miscellaneous permits, and establishes penalties for violation of the Ordinance.
- E. OCSD is committed to: 1) a policy of Wastewater reclamation and reuse to provide alternate sources of water supply for OCSD and agencies with which OCSD has agreements for Wastewater reclamation; and 2) a policy for the protection of groundwater. OCSD is also committed to help protect groundwater goals as established by various water quality and water purveyor agencies. To fulfill these commitments, OCSD may implement more stringent quality requirements on Wastewater discharges through regulation, including revisions to this Ordinance.

- F. OCSD is committed to a policy for the beneficial use of biosolids, the implementation of programs to land-apply or provide for the marketing and distribution of biosolids, which may necessitate more stringent quality requirements on Wastewater discharges.
- G. OCSD is also committed to meet applicable air quality goals established by the South Coast Air Quality Management District, which may further necessitate more stringent quality requirements on Wastewater discharges.

102. DEFINITIONS

- A. Unless otherwise defined herein, terms related to water quality shall be as adopted in the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.

The testing procedures for Wastewater constituents and characteristics shall be as provided in 40 CFR 136 (Code of Federal Regulations; Title 40; Protection of Environment; Chapter I, Environmental Protection Agency; Part 136, Guidelines Establishing Test Procedures for the Analyses of Pollutants), or as specified.

Other terms not herein defined shall have the same meaning as defined in the latest California Building and Construction Codes, Title 24, California Code of Regulations.

- 1. Act or "the Act" shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251, et seq.
- 2. Approved POTW Pretreatment Program or Program or POTW Pretreatment Program shall mean a program administered by a POTW that meets the criteria established in 40 CFR 403.8 and 403.9 and which has been approved by a Regional Administrator or State Director in accordance with 40 CFR 403.11.
- 3. Authorized Representative or Designated Signatory shall mean:
  - a) A Responsible Officer, as that term is defined in this Ordinance and 40 CFR 403.12(l); or
  - b) A person that is responsible for the overall operation of the facility from which the discharge originates and that a

Responsible Officer has designated, in writing and submitted to OCSD, an Authorized Representative; or

- c) A person that has overall responsibility for environmental matters for the facility from which the discharge originates and that a Responsible Officer has designated, in writing and submitted to OCSD, an Authorized Representative; or
  - d) If the applicant or User is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or the designee.
4. Best Management Practices (BMPs) shall mean management practices to prevent or reduce pollution or to meet Article 2 standards. Such BMPs shall be considered Local Limits and Pretreatment Standards as stated in 40 CFR 403.5(c)(4).
  5. Biochemical Oxygen Demand (BOD) shall mean a measurement of oxygen utilized by the decomposition of organic material, over a specified time period (usually 5 days) in a Wastewater sample. It is used as a measurement of the readily decomposable organic content of Wastewater.
  6. Board shall mean the Board of Directors of the Orange County Sanitation District.
  7. Bypass shall mean the intentional diversion of wastestreams from any portion of a User's treatment facility.
  8. Capital Facilities Capacity Charge shall mean the payment of a fee, imposed by the governing Board of OCSD, to pay for the future costs of constructing new sewerage collection, treatment, and disposal facilities; and as a contributive share of the cost of the existing facilities. This charge shall be paid by all property owners at the time they develop the property and connect directly or indirectly to OCSD's Sewerage Facilities as a new system User. This charge, which rates are set forth in a separate Ordinance, is expressly authorized by the provisions of California Health & Safety Code Sections 5471 and 5474.
  9. Charge For Use shall mean OCSD's sanitary sewer service charge, a charge established and levied by OCSD upon residential, commercial, and industrial Users of OCSD's Sewerage System, pursuant to Sections 302.6(F), or 303.6(E) of this Ordinance, in proportion to the use of the treatment works by their respective class,

that provides for the recovery of the costs of operation and maintenance expenses, capital facilities rehabilitation or replacement, and adequate reserves for the POTW. The minimum charge for use is the Annual Sewer Service Fee Residential Users.

10. Chemical Oxygen Demand (COD) shall mean a measure of the oxygen required to oxidize all compounds, both organic and inorganic, in Wastewater.
11. Class I User shall mean any User who discharges Wastewater that:
  - a) is a Significant Industrial User; or
  - b) Is determined to have a reasonable potential for adversely affecting OCSD's operation or for violating any Pretreatment Standard, Local Limit, or discharge requirement, or may cause Pass Through affecting OCSD's ability to comply with its NPDES Permit or other regulations and standards; or
  - c) may cause pass through or Interference with OCSD's Sewerage Facilities.
12. Class II User shall mean any User whose charge for use is greater than the special assessment "OCSD Sewer User Fee" included on the County of Orange secured property tax bill exclusive of debt service, that discharges wastes other than sanitary, and that is not otherwise required to obtain a Class I permit.
13. Code of Federal Regulations (CFR) shall mean the codification of the general and permanent regulations published in the Federal Register by the executive departments and agencies of the federal government.
14. Compatible Pollutant shall mean a combination of biochemical oxygen demand, suspended solids, pH, fecal coliform bacteria, plus other Pollutants that OCSD's treatment facilities are designed to accept and/or remove. Compatible Pollutants are non-compatible when discharged in quantities that have an adverse effect on OCSD's Sewerage System or NPDES permit, or when discharged in qualities or quantities violating any Federal Categorical Pretreatment Standards, Local Limit, or other discharge requirement.
15. Composite Sample shall mean a collection of individual samples obtained at selected intervals based on an increment of either flow or time. The resulting mixture (composite sample) forms a representative sample of the wastestream discharged during the

sample period.

16. Connection Permit shall mean a permit issued by OCSD, upon payment of a capital facilities capacity charge, authorizing the Permittee to connect directly to an OCSD's Sewerage Facilities or to a sewer which ultimately discharges into an OCSD's Sewerage Facilities.
17. Department Head shall mean that person duly designated by the General Manager to perform those delegated duties as specified in this Ordinance.
18. Discharger shall mean any Person who discharges or causes a discharge of Wastewater directly or indirectly to a public sewer. Discharger shall mean the same as User.
19. District shall mean the Orange County Sanitation District or OCSD.
20. Division Head shall mean that person duly designated by the General Manager to implement the OCSD Pretreatment Program and perform the duties as specified in this Ordinance.
21. Domestic Septage shall mean the liquid and solid material removed from food service establishments, or a septic tank, cesspool, portable toilet, or similar treatment works that receives only domestic Wastewater.
22. Domestic Wastewater shall mean the liquid and solid waterborne wastes derived from the ordinary living processes of humans of such character as to permit satisfactory disposal, without special treatment, into the public sewer or by means of a private disposal system.
23. Downstream Sampling or Monitoring shall mean sampling or monitoring usually conducted in a city or agency owned sewer for the purpose of determining the compliance status of an industrial or commercial Discharger.
24. Dry Weather Urban Runoff shall mean surface runoff flow that is generated from any drainage area within OCSD's service area during a period that does not fall within the definition of Wet Weather. It is surface runoff that contains Pollutants that interfere with or prohibit the recreational use and enjoyment of public beaches or cause an environmental risk or health hazard.
25. Enforcement Compliance Schedule Agreement (ECSA) shall mean

a mutual agreement between OCSD and Permittee requiring implementation of necessary Pretreatment practices and/or installation of equipment to ensure permit compliance.

26. Enforcement Response Plan shall mean a plan containing detailed procedures indicating how OCSD will investigate and respond to instances of Industrial User non-compliance in accordance with 40 CFR 403.8(f)(1) or other Users in accordance with OCSD non-compliance procedures.
27. Federal Categorical Pretreatment Standards shall mean any regulation containing Pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Clean Water Act (33 U.S.C. 1317) which apply to a specific category of Industrial Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
28. Federal Regulations shall mean any applicable provision of the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, Title 33, United States Code, Section 1251 and following, and any regulation promulgated by the United States Environmental Protection Agency under Title 40 CFR implementing that act.
29. Flow Monitoring Facilities shall mean equipment and structures provided at a User's expense to measure, totalize, and/or record, the incoming water to the facility or the Wastewater discharged to the sewer.
30. General Manager shall mean the individual duly designated by the Board of Directors of OCSD to administer this Ordinance (see also Section 107).
31. Grab Sample shall mean a sample taken from a wastestream on a one-time basis without regard to the flow in the wastestream and without consideration of time.
32. Hydrolysate shall mean the resultant liquid from the hydrolysis of human remains.
33. Hydrolysis shall mean the process by which the body of a deceased person is chemically reduced to its essential organic components and bone fragments either before or after processing of the remains after removal from the hydrolysis chamber.
34. Indirect Discharge or Discharge shall mean the introduction of

Pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act [33 U.S.C. 1317(b)-(d)].

35. Industrial User shall mean any User that discharges Industrial Wastewater.
36. Industrial Wastewater shall mean all liquid carried wastes and Wastewater of the community, excluding domestic Wastewater and domestic septage, and shall include all Wastewater from any producing, manufacturing, processing, agricultural, or other operation.
37. Inspector shall mean a person authorized by the General Manager to inspect any existing or proposed Wastewater generation, conveyance, processing, and disposal facilities.
38. Instantaneous Limit (see the Maximum Allowable Discharge Limit)
39. Interference shall mean any discharge which, alone or in conjunction with a discharge or discharges from other sources, either:
  - a) inhibits or disrupts OCSD, its treatment processes or operations, or its biosolids processes, use, or disposal; or
  - b) is a cause of a violation of any requirement of OCSD's NPDES permit or prevents lawful biosolids or treated effluent use or disposal.
40. LEL (Lower Explosive Limit) shall mean the minimum concentration of a combustible gas or vapor in air (usually expressed in percent by volume at sea level) which will ignite if an ignition source (sufficient ignition energy) is present.
41. Letter to Discharge shall mean a letter authorizing a User to discharge to the sewer without having to obtain a Special Purpose Discharge Permit. The discharge volume is generally limited to less than 1 million gallons.
42. Local Limit shall mean specific discharge limits developed pursuant to 40 CFR 403.5(c) and enforced by OCSD upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
43. Local Sewering Agency shall mean any public agency or private corporation responsible for the collection and disposal of Wastewater to OCSD's Sewerage Facilities and duly authorized under the laws



of the State of California to construct and/or maintain public sewers.

44. Major Violation shall mean a discharge over the permitted discharge limit, as determined by the result of a sample analysis, as follows:
- a) a discharge exceeding a Mass Emission Rate limit by 20% or more, or
  - b) a discharge exceeding a concentration limit by 20% or more, or
  - c) a pH discharge less than 5.0.
45. Mass Emission Rate shall mean the weight of material discharged to the sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.
46. Maximum Allowable Discharge Limit shall mean the maximum quantity or concentration of a Pollutant allowed to be discharged at any period of time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
47. Medical Waste shall mean the discharge of isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
48. Milligrams Per Liter (mg/L or mg/l) shall mean a unit of the concentration of a constituent or compound that is found in water or Wastewater. It is 1 milligram of the constituent or compound in 1 liter of water or Wastewater.
49. Minor Violation shall mean a discharge over the permitted discharge limit as determined by the result of a sample analysis, as follows:
- a) a discharge exceeding a Mass Emission Rate limit by less than 20%, or
  - b) a discharge exceeding a concentration limit by less than 20%, or.
  - c) a pH discharge equal to or greater than 5.0, but less than 6.0, or

- d) a pH discharge greater than 12.0.
50. National Pretreatment Standard, Pretreatment Standard, or Standard shall mean any regulation containing Pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharges and categorical standards established pursuant to 40 CFR 403.5 and 403.6.
51. North American Industry Classification System (NAICS) shall mean an industry classification system that groups establishments into industries based on the activities in which they are primarily engaged.
52. National Pollutant Discharge Elimination System Permit (NPDES Permit) shall mean the permit issued to control the discharge to surface waters of the United States as detailed in Section 402 of the Act (33 U.S.C. 1342).
53. New Source shall mean those sources that are new as defined by 40 CFR 403.3(m) as revised.
54. Non-compatible Pollutant shall mean any Pollutant which is not a Compatible Pollutant as defined herein.
55. OCSD shall mean Orange County Sanitation District.
56. OCSD's Sewerage Facilities or System shall mean any property belonging to OCSD used in the treatment, reclamation, reuse, transportation, or disposal of Wastewater, or biosolids.
57. Ordinance shall mean that document entitled "Wastewater Discharge Regulations" containing OCSD requirements, conditions, and limits for connecting and discharging to the sewer system, as may be amended and modified.
58. pH shall mean both acidity and alkalinity on a scale ranging from 0 to 14 where 7 represents neutrality, numbers less than 7 increasing acidity, and more than 7 increasing alkalinity, and is the logarithm of the reciprocal of the quantity of hydrogen ions in moles per liter of solution.
59. Pass Through shall mean discharge through OCSD's Sewerage Facilities to Waters of the U.S. which, alone or in conjunction with discharges from other sources, is a cause of a violation of OCSD's

NPDES permit.

60. Permittee shall mean a Person who has received a permit to discharge Wastewater into OCSD's Sewerage Facilities subject to the requirements and conditions established by OCSD.
61. Person shall mean any individual, partnership, copartnership, company, firm, association, corporation or public agency, joint stock company, trust, estate, or any other legal entity; or their legal representatives, responsible corporate officers, agents, assigns, including all federal, state, and local governmental entities.
62. Pesticides shall mean those compounds classified as such under federal or state law or regulations including, but not limited to DDT (dichlorodiphenyltrichloro-ethane, both isomers); DDE (dichlorodiphenyl-ethylene); DDD (dichlorodiphenyldichloroethane); aldrin, benzene hexachloride (alpha [ $\alpha$ ], beta [ $\beta$ ], and gamma [ $\gamma$ ] isomers); chlordane; endrin; endrin aldehyde; 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD); toxaphene;  $\alpha$ -endosulfan;  $\beta$ -endosulfan; endosulfan sulfate; heptachlor; heptachlor epoxide; dieldrin; demeton; guthion; malathion; methoxychlor; mirex; and parathion.
63. Pollutant shall mean any constituent, compound, or characteristic of Wastewaters on which a discharge limit or requirement may be imposed either by OCSD or the regulatory bodies empowered to regulate OCSD.
64. Polychlorinated Biphenyls (PCB) shall mean those compounds classified as such under federal or state law including, but not limited to Aroclors 1016, 1221, 1228, 1232, 1242, 1248, 1254, 1260, and 1262.
65. Pretreatment shall mean the reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater to a level authorized by OCSD prior to, or in lieu of, discharge of the Wastewater into OCSD's Sewerage System. The reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means.
66. Pretreatment Facility shall mean any works or devices that the General Manager determines are appropriate to treat, restrict, or prevent the flow of Industrial Wastewater prior to discharge into a public sewer.

67. Pretreatment Requirements shall mean any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.
68. Priority Pollutants shall mean the most recently adopted list of toxic Pollutants identified and listed by EPA as having the greatest environmental impact. They are classified as Non-compatible Pollutants and may require Pretreatment prior to discharge to prevent:
- a) Interference with OCSD's operation; or
  - b) biosolids contamination; or
  - c) Pass Through into receiving waters or into the atmosphere.
69. Public Agency shall mean the State of California and any city, county, district, other local authority or public body of or within this state.
70. Public Sewer shall mean a sewer owned and operated by OCSD, a city or other local sewerage Public Agency which is tributary to OCSD's Sewerage Facilities.
71. Publicly Owned Treatment Works or POTW shall mean a treatment works as defined by section 212 of the Act (33 U.S.C. 1292), which is owned by a state or municipality (as defined by section 502(4) of the Act [33 U.S.C. 1362(4)]). 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 sewers, pipes and other conveyances only if they 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 a treatment works.
72. RCRA shall mean Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901, et seq.) and as amended.
73. Regulatory Agencies shall mean those agencies having jurisdiction over the operation of OCSD including, but not limited to, the following:
- a) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA).
  - b) California State Water Resources Control Board (SWRCB).

- c) California Regional Water Quality Control Board, Santa Ana Region (RWQCB).
  - d) South Coast Air Quality Management District (SCAQMD).
  - e) California Environmental Protection Agency (Cal-EPA).
74. Regulatory Compliance Schedule Agreement (RCSA) shall mean an agreement between OCSD and Permittee requiring the Permittee to implement Pretreatment practices and/or install equipment to ensure compliance with future revised categorical Pretreatment Standards or revised discharge limits.
75. Responsible Officer shall mean:
- a) As defined in 40 CFR 403.12(l), if the applicant or User is a corporation:
    - (1) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
    - (2) The manager of one or more manufacturing, production, or operation facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual Wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - b) As defined in 40 CFR 403.12(l), if the applicant or User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
  - c) If the applicant or User is a federal, state, or local

governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or the designee.

- d) An applicant or User not falling within one of the above categories must designate as the Responsible Officer an individual responsible for the overall operation of the facility.
- 76. Sample Point shall mean a location accepted by OCSD, from which Wastewater can be collected that is representative in content and consistency of the entire flow of Wastewater being sampled.
- 77. Sampling Facilities shall mean structure(s) provided at a User's expense for OCSD or User to measure and record Wastewater constituent mass, concentrations, collect a representative sample, or provide access to plug or terminate the discharge.
- 78. Sanitary Waste shall mean domestic Wastewater, human excrement, and gray water (e.g., water from household showers, dishwashing operations, etc.).
- 79. Septic Waste shall mean any Sewage from holding tanks such as vessels, chemical toilets, and septic tanks.
- 80. Service Area shall mean an area for which OCSD has agreed to either provide sewer service, or Wastewater treatment, or Wastewater disposal.
- 81. Sewage shall mean Wastewater.
- 82. Sewerage Facilities or System shall mean any and all facilities used for collecting, conveying, pumping, treating, and disposing of Wastewater or sludge or biosolids.
- 83. Significant Industrial User, except as provided in 40 CFR 403.3 (v)(2) and (v)(3), shall mean: (i) All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and/or 40 CFR Chapter I, Subchapter N; and (ii) Any other Industrial User that, pursuant to 40 CFR 403.3(v)(1): discharges an average of 25,000 gallons per day or more of process Wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown Wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by OCSD on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating

any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

84. Significant Non-Compliance (SNC) shall mean the compliance status of an Industrial User who is in violation of one or more of the criteria as described in 40 CFR 403.8(f)(2)(viii).
85. Slug Load or Slug Discharge shall mean any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 201 of this Ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits, or Permit conditions.
86. Sludge shall mean any solid, semi-solid or liquid decant, supernate or supernate from a manufacturing process, utility service, or Pretreatment Facility.
87. Special Assessment Credit shall mean the portion of the secured property tax bill that represents the regional special assessment sewer User fee as defined by OCSD.
88. Special Purpose User shall mean any Discharger who is granted a Special Purpose Discharge Permit by OCSD to discharge unpolluted water, storm runoff, or groundwater to OCSD's Sewerage Facilities.
89. Spent Solutions shall mean any concentrated Industrial Wastewater or Wastewater that is not authorized to be discharged to a Sewage facility until appropriately treated.
90. Spill Containment shall mean a protection system installed by the Permittee to prohibit the discharge to the sewer of non-compatible Pollutants.
91. Standard Methods shall mean procedures described in the current edition of *Standard Methods for the Examination of Water and Wastewater*, as published by the American Public Health Association, the American Water Works Association and Water Pollution Control Federation.
92. Suspended Solids or Total Suspended Solids (TSS) shall mean any insoluble material contained as a component of Wastewater and capable of separation from the liquid portion of said Wastewater by laboratory filtration as determined by the appropriate testing procedure and expressed in terms of milligrams per liter.

93. Total Organic Carbon (TOC) shall mean the measure of total organic carbon in mg/L using heat, oxygen, ultraviolet irradiation, chemical oxidants, or combinations of these oxidants that convert organic carbon to carbon dioxide, rounded to two significant figures. As such, Total Toxic Organics is a subset of TOC.
94. Total Toxic Organics (TTO) shall mean the summation of all quantifiable values greater than 0.01 milligrams per liter for the organics regulated by the EPA or OCSD for a specific industrial category.
95. Unpolluted Water shall mean water to which no Pollutant has been added either intentionally or accidentally.
96. User shall mean any Person who discharges or causes a discharge of Wastewater directly or indirectly to a public sewer. User shall mean the same as Discharger. User includes Industrial Users as a type of User.
97. Waste-Tracking Form shall mean that receipt which is retained by the generator of hazardous wastes as required by the State of California or the United States Government pursuant to RCRA, or the California Hazardous Materials Act, or that receipt which is retained by the generator for recyclable wastes or liquid non-hazardous wastes as required by OCSD. The Waste-Tracking Form is typically known as a “waste manifest.”
98. Wastehauler shall mean any Person carrying on or engaging in vehicular transport of brine, domestic septage (except the SAWPA Sewer Service Area in compliance with the 1996 OCSD/SAWPA Agreement), or Wastewater as part of, or incidental to, any business for the purpose of discharging directly or indirectly said Wastewater into OCSD’s Sewerage System.
99. Wastewater shall mean the liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer.
100. Wastewater Constituents and Characteristics shall mean the individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the quality and quantity of Wastewater.
101. Wet Weather shall mean any period of time during which measurable



rainfall occurs within OCSD's service area. This period shall include the time following the cessation of rainfall until OCSD determines that the wet weather event is no longer impacting OCSD's Sewerage System.

102. Working Day shall mean the period of time during which production or operation is taking place or any period during which discharge to the sewer is occurring.
103. Zero Discharge Certification shall mean a control mechanism that is issued by OCSD to ensure that specific facilities are not discharging a Pollutant(s) that may otherwise qualify the facility for a discharge permit.

- B. Words used in this Ordinance in the singular may include the plural and the plural the singular. Terms used in the masculine form shall include feminine, and terms used in the feminine form shall include masculine.

#### 103. CONFIDENTIAL INFORMATION

All user information and data on file with OCSD is presumed to be available to the public and governmental agencies without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of OCSD that the release of such information would divulge information, processes or methods which would be detrimental to the User's competitive position. The demonstration of the need for confidentiality made by the Permittee must meet the burden necessary for withholding such information from the general public under applicable state and federal law. Any such claim must be made at the time of submittal of the information by marking the submittal "Confidential Business Information" on each page containing such information.

Information which is demonstrated to be confidential shall not be transmitted to anyone other than a governmental agency without prior notification to the User. Wastewater constituents and characteristics and other effluent data, as defined in 40 CFR 2.302, shall not be recognized as confidential information and shall be available to the public.

#### 104. SALE OR CHANGE OF OWNERSHIP

- A. Permits issued under this Ordinance are for a specific User, for a specific operation at a specific location or for a specific Wastehauler, and create no vested rights. Notwithstanding 104.C, the existing permit will be terminated upon sale or change of ownership.
- B. No permit may be transferred to allow a discharge to a public sewer from a point other than the location for which the permit was originally issued.

- C. When the permittee is a legal entity (such as a corporation, partnership, limited liability company, or other legal entity), the permittee is deemed to have undergone a change of ownership when any other legal entity or person acquires direct or indirect ownership or control of more than fifty percent (50%) of the total ownership interest in the permittee.
- D. At least thirty (30) calendar days prior to the sale or change of ownership of any business operating under a permit issued by OCSD, the Permittee shall notify OCSD in writing of the proposed sale or change of ownership. The successor owner shall apply to OCSD for a new permit at least thirty (30) calendar days prior to the sale or change of ownership in accordance with the provisions of this Ordinance. A successor owner shall not discharge any Wastewater for which a permit is required by this Ordinance until a new permit is issued by OCSD to the successor owner.
- E. The written notification of intended sale or change of ownership shall be in a form approved by OCSD and shall include a written certification by the new owner or Authorized Representative, which shall include as a minimum:
  - 1. the specific date on which the sale or change of ownership is to occur; and
  - 2. an acknowledgement to comply fully with all the terms, conditions, limits, and provisions of this Ordinance and the new permit.

105. RESERVED

106. AUTHORITY

- A. OCSD is regulated by several agencies of the United States Government and the State of California, pursuant to the provisions of federal and state Law. Federal and state laws grant to OCSD the authority to regulate and/or prohibit, by the adoption of ordinances or resolutions, and by issuance of discharge certifications, or discharge permits, the discharge of any Wastewater, directly or indirectly, to OCSD's Sewerage Facilities. Said authority includes the right to establish limits, conditions, and prohibitions; to establish flow rates or prohibit flows discharged to OCSD's Sewerage Facilities; to require the development of compliance schedules for the installation of equipment systems and materials by all Users; and to take all actions necessary to enforce its authority including implementation of the Enforcement Response Plan, whether within or outside OCSD's boundaries, including those Users that are tributary to OCSD or within areas for which OCSD has contracted to provide sewerage services.
- B. Four jurisdictions contribute to and are under the purview of OCSD's

Pretreatment program: a section of the Irvine Ranch Water District; a section of the Sanitation Districts of Los Angeles County, which has several Dischargers at the county border; the South Orange County Wastewater Authority, and the Santa Ana Watershed Project Authority (SAWPA), whose discharge is delivered via the Santa Ana River Interceptor (SARI) and is comprised of mostly Wastewater brines. Nothing in this Ordinance is intended to preclude the discharge from SAWPA's SARI Service Area of discharges consisting solely of Wastewater brines that are compliant with all regulations and agreements.

- C. OCSD has the authority pursuant to California Health and Safety Code Sections 5471 and 5474 to prescribe, revise, and collect all fees and charges for services and facilities furnished by OCSD either within or without its territorial limits.

#### 107. DELEGATION OF AUTHORITY

Whenever any power is granted to or a duty is imposed upon the General Manager, the power may be exercised or the duty may be performed by any person so authorized by the General Manager.

#### 108. SIGNATORY REQUIREMENTS

Reports and permit applications required by this Ordinance shall contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The statement shall be signed by a Responsible Officer (or his/her Authorized Representative) of the Industrial User as defined in 40 CFR 403.12(l), or as defined and designated by OCSD.

#### 109. RECORD KEEPING REQUIREMENTS

Any User subject to OCSD's reporting requirements shall maintain and make available for inspection and copying records of all information obtained pursuant to, or resulting from, any monitoring activities required by OCSD, including documentation associated with Best Management Practices, and any additional records or information obtained pursuant to monitoring activities undertaken by the User independent of such

requirements. Such records shall include information as described in 40 CFR 403.12(o)(1) and (2). These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or OCSD, or where the User has been specifically notified of a longer retention period by the General Manager.

ARTICLE 2. GENERAL PROHIBITIONS, LIMITS AND REQUIREMENTS FOR  
DISCHARGE

201. PROHIBITED DISCHARGES

These prohibitions apply to all Users of OCSD's Sewerage Facilities whether or not they are subject to Federal Categorical Pretreatment Standards or any other national, state, or local Pretreatment Standards or requirements.

A. General Prohibitions.

1. No User shall introduce or cause to be introduced into OCSD's Sewerage Facilities any Pollutant, Wastewater, or flow which causes Pass Through or Interference or would cause OCSD to violate any federal, state, or local regulatory requirement.
2. No User shall increase the contribution of flow, Pollutants, or change the nature of Pollutants where such contribution or change does not meet applicable standards and requirements or where such contribution would cause OCSD to violate any federal, state, or local regulatory permit.
3. No Person shall transport Wastewater from one location or facility to another for the purpose of treating or discharging it directly or indirectly to OCSD's Sewerage Facilities without written permission from OCSD.
4. No Person shall deliver by vehicular transport, rail car, or dedicated pipeline, directly or indirectly to OCSD's Sewerage Facilities, Wastewater which contains any substance that is defined as a hazardous waste by the Regulatory Agencies.
5. No Person shall discharge or cause to be discharged any non-domestic water directly or indirectly to any OCSD Sewerage Facilities without prior authorization.

B. Specific Prohibitions. No User shall introduce or cause to be introduced into the Sewerage Facilities, any Pollutant, substance, or Wastewater which:

1. Creates a fire or explosive hazard in the Sewerage Facilities including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Centigrade) using any of the test methods specified in 40 CFR 261.21; or produces a gaseous mixture that is 10% or greater of the lower explosive limit (LEL).

2. Causes obstruction to the flow in the Sewerage Facilities resulting in interference or damage to the Sewerage Facilities.
3. Produces noxious or malodorous liquids, gases, solids, or other Wastewater which, either singly or by interaction with other Wastes, is sufficient to create a public nuisance or a hazard to life, or to prevent entry into the Sewerage Facilities for maintenance or repair.
4. Results in toxic gases, vapors, or fumes within the Sewerage Facilities in a quantity that may cause acute worker health and safety problems.
5. Contains any radioactive Wastes or isotopes except in compliance with applicable regulations from other governmental agencies empowered to regulate the use of radioactive materials.
6. Causes, alone or in conjunction with other sources, OCSD's treatment plant effluent to fail a toxicity test.
7. Causes OCSD's effluent or any other product of the treatment process, residues, biosolids, or scums, to be unsuitable for reclamation, reuse or disposal. Examples of items which may cause these conditions include, but are not limited, to food packaging, product containers, and non-dispersible products.
8. Causes discoloration or any other condition which affects the quality of OCSD's influent or effluent in such a manner that inhibits OCSD's ability to meet receiving water quality, biosolids quality, or air quality requirements established by Regulatory Agencies.
9. Creates excessive foaming in the Sewerage Facilities.
10. Violates any applicable Federal Categorical Pretreatment Standards, statute, regulation, or ordinance of any public agency or Regulatory Agency having jurisdiction over the operation of or discharge of Wastewater through the Sewerage Facilities.
11. Has a temperature higher than 140 degrees Fahrenheit, (60 degrees Centigrade), or which causes the temperature at the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Centigrade).
12. Has a pH less than 6.0 or greater than 12.0.
13. Causes corrosion, fouling, occlusion, or damage to the POTW beyond normal wear and tear.

14. Is released in a discharge at a flow rate and/or Pollutant concentration (including oxygen-demanding Pollutant (BOD, etc.)) which will cause interference with OCSD's Sewerage Facilities.
15. Is in excess of the permitted Mass Emission Rates established in accordance with Section 213 of this Ordinance, or the concentration limits set forth in Table 1, or the discharge permit.
16. Contains material which will readily settle or cause an obstruction to flow in the Sewerage Facilities resulting in interference, such as, but not limited to, sand, mud, glass, metal filings, diatomaceous earth, cat litter, asphalt, wood, bones, hair, fleshings, food packaging, product containers, and non-dispersible products.
17. Includes petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or Pass Through.
18. Causes the Orange County Water District Groundwater Replenishment System product water to exceed its TOC limit of 0.5 mg/L.

#### 202. PROHIBITION ON DILUTION

No User shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this Ordinance and the User's permit or to establish an artificially high flow rate for permit Mass Emission Rates.

#### 203. PROHIBITION ON SURFACE RUNOFF AND GROUNDWATER

No Person shall discharge groundwater, storm water, surface runoff, or subsurface drainage directly or indirectly to OCSD's Sewerage Facilities except as provided herein. Pursuant to Section 304 or 305, et seq., OCSD may approve the discharge of such water only when no alternate method of disposal is reasonably available or to mitigate an environmental risk or health hazard. The discharge of such waters shall require a Dry Weather Urban Runoff Discharge Permit, a Special Purpose Discharge Permit, or written authorization from OCSD. If a permit is granted for the discharge of such water into a Public Sewer, the User shall pay all applicable charges and shall meet such other conditions as required by OCSD.

#### 204. PROHIBITION ON NON-DOMESTIC SURFACE AND FLOOR DRAINS

No Person shall discharge non-domestic water via a surface or floor drain directly or indirectly to OCSD's Sewerage Facilities except as provided herein. OCSD may approve

the discharge of such water at its sole discretion. The discharge of such waters shall require written authorization from OCSD and shall meet other such conditions as required by OCSD and this Ordinance.

205. PROHIBITION ON UNPOLLUTED WATER

- A. No Person shall discharge unpolluted water such as single pass cooling water directly or indirectly to OCSD's Sewerage Facilities except as provided herein. Pursuant to Section 305, et seq., OCSD may approve the discharge of such water only when no alternate method of disposal or reuse is reasonably available or to mitigate an environmental risk or health hazard.
- B. The discharge of such waters shall require a Special Purpose Discharge Permit from OCSD.
- C. If a permit is granted for the discharge of such water into a public sewer, the User shall pay all applicable charges and shall meet such other conditions as required by OCSD.

206. PROHIBITION ON SLUG DISCHARGES AND NOTIFICATION REQUIREMENT

OCSD has the right to control slug discharges, if it is determined to be necessary. All Significant Industrial Users are required to notify OCSD immediately of any changes at their facilities that could affect the potential for a slug discharge.

207. PROHIBITION ON THE USE OF GRINDERS

- A. Waste from industrial or commercial grinders shall not be discharged into a Public Sewer, except wastes generated in packing or preparing food or food products. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the Public Sewer.
- B. Waste from Food Service Establishments operating a grinder is prohibited and shall not be discharged into a Public Sewer unless written authorization from the General Manager is obtained.

208. PROHIBITION ON POINT OF DISCHARGE

No Person, except Local Sewering Agencies involved in maintenance functions of sanitary sewer facilities, shall discharge any Wastewater directly into a manhole or other opening in a sewer other than through an approved building sewer, unless approved by OCSD upon written application by the User and payment of the applicable fees and charges established therefor.



209. HAZARDOUS WASTE DISCHARGE NOTIFICATION REQUIREMENT

Any User that discharges any hazardous waste into the Sewerage System shall notify OCSD immediately as required by 40 CFR 403.12(p).

210. PROHIBITION AND REQUIREMENTS FOR WASTEHAULER DISCHARGES TO OCSD'S SEWERAGE SYSTEM AND WASTEHAULER STATION

- A. No Wastehauler shall discharge to OCSD's Sewerage System, domestic septage or other approved waste or wastewater from a vacuum pumping truck or other liquid waste transport vehicle, without first obtaining both a valid Orange County Health Care Agency (OCHCA) registration or other control mechanism (where applicable), and a OCSD Wastehauler Permit as required by Section 306. Such Wastewaters shall be discharged only at locations designated by OCSD, and at such times as established by OCSD. OCSD may collect samples of each hauled load to ensure compliance with applicable standards.
- B. No Wastehauler shall discharge domestic septage or other approved Waste or Wastewater constituents in excess of Limits in Table 1.
- C. The discharge of industrial Wastewater by any Wastehauler is prohibited unless written permission of the General Manager has been obtained, the proper permits have been obtained, and the Industrial Wastewater meets federal and state limits applicable to the User or generator from which the Industrial Wastewater was obtained; or the Maximum Local Discharge Limits as specified in Table 1, whichever are more stringent. The discharge of hauled Industrial Wastewater is subject to all other requirements of this Ordinance.
- D. No Wastehauler shall discharge or deliver Wastewater to a Sewerage System that is tributary to OCSD's Sewerage Facilities that are from a source that is not within OCSD's service area unless prior authorization for such Wastewater is granted by the General Manager.
- E. No Wastehauler shall deliver directly to OCSD's Sewerage Facilities any Wastewater originating within OCSD's boundaries, from an industrial user subject to categorical Pretreatment Standards, and is greater than the categorical Pretreatment Standards, OCSD's Local Limits, or hazardous waste levels defined by RCRA (40 U.S.C. § 6901, et seq.) or 40 CFR 261.
- F. Notwithstanding E above, no Wastehauler shall deliver directly to OCSD's Sewerage Facilities any Wastewater originating within OCSD's boundaries, from a commercial or an industrial user not subject to categorical Pretreatment Standards, and is greater than OCSD Local Limits or hazardous Waste levels defined by RCRA or 40 CFR 261.

- G. No Wastehauler shall add chemicals into Wastehauler trucks while on OCSD premises before discharging to the OCSD Wastehauler Station unless approved by OCSD.
- H. No Wastehauler shall discharge Wastewater to the OCSD Wastehauler Station, which contains mixed load types, i.e., domestic septage, brine, etc.
- I. Wastehaulers shall provide a Waste-Tracking Form for every load. This form shall include, at a minimum, the name and address of the Wastehauler, permit number, truck identification, names and addresses of all sources of Wastewater, and volume and characteristics of Wastewater.
- J. Discharge at the OCSD Wastehauler Station shall be through an appropriate hose and connection to the discharge port. Discharging Wastewater directly to the surface area of the Wastehauler Station is prohibited.
- K. Wastehauler hoses must be connected to the Wastehauler Station discharge port when being cleaned.
- L. Transferring loads between trucks or from portable toilets to trucks on OCSD property is prohibited unless permission from OCSD is obtained.
- M. Wastehaulers discharging Food Service Establishment grease waste into OCSD's Wastehauler Station must have a valid California Department of Food and Agriculture (CDFA) permit, if required by law. Wastehaulers must have all necessary permits, or copies thereof, in their possession at the time of discharge to the OCSD Wastehauler station and must present copies for inspection by OCSD personnel upon request

## 211. PROHIBITION ON MEDICAL WASTE

- A. No solid Wastes consisting of, but not limited to, hypodermic needles, syringes, instruments, utensils or other paper and plastic items from hospitals, clinics, offices of medical doctors, convalescent homes, medical laboratories or other medical facilities shall be discharged to the Sewerage System, unless prior written approval for such discharges has been granted by the General Manager.
- B. OCSD shall have the authority to require that any discharge of etiologic agents or infectious agents or substances to the Sewerage System be rendered inactive and noninfectious prior to discharge if the infectious Waste is deemed to pose a threat to the public health and safety, or can become an etiologic agent subsequent to discharge to the Sewerage

System, or will result in any violation of applicable Wastewater discharge requirements.

- C. No unused, unwanted, or expired pharmaceuticals (both over the counter and prescription-only medications) shall be disposed of in the Sewerage System, except in accordance with federal and state regulations, or in the absence of such regulations, using Best Management Practices.

## 212. PROHIBITION ON DISPOSAL OF SPENT SOLUTIONS AND SLUDGES

Spent solutions, sludges, and materials of quantity or quality in violation of, or prohibited by this Ordinance, or any permit issued under this Ordinance must be disposed of in compliance with all regulatory requirements at a permitted point of disposal as defined by OCSD or Regulatory Agency with jurisdiction thereof.

If the point of disposal is at an OCSD-permitted treatment facility, all Waste-Tracking Forms shall be retained for a minimum of three years by the facility and Wastehauler of said Wastewater and made available for copying for review upon request.

## 213. PROHIBITION ON HYDROLYSATE

No Person shall discharge Hydrolysate, Wastes, or Wastewater resulting from Hydrolysis either directly or indirectly to the Sewerage System.

## 214. BEST MANAGEMENT PRACTICES

OCSD may develop BMPs, by ordinance or individual wastewater discharge permits, to implement Local Limits and the requirements of Article 2.

## 215. MASS EMISSION RATE DETERMINATION

- A. Mass Emission Rates for non-compatible or Compatible Pollutants that are present or anticipated in the User's Wastewater discharge may be set for each User and made an applicable part of each User's permit. These rates shall be based on Table 1, Maximum Allowable Local Discharge Limits, or Federal Categorical Pretreatment Standards, and the User's average daily Wastewater discharge for the past three years, the most recent representative data, or other data acceptable to the General Manager.
- B. To verify the User's operating data, OCSD may require the User to submit an inventory of all Wastewater streams and/or records indicating production rates.
- C. OCSD may revise limits or Mass Emission Rates previously established in the discharger's permit at any time, based on: current or anticipated operating data of the discharger or OCSD; OCSD's ability to meet NPDES

limits; or changes in the requirements of Regulatory Agencies.

- D. The excess use of water to establish an artificially high flow rate for Mass Emission Rate determination is prohibited.

216. MAXIMUM ALLOWABLE LOCAL DISCHARGE LIMITS

OCSD's Maximum Allowable Local Discharge Limits are shown in Table 1 below.

TABLE 1

<b>MAXIMUM ALLOWABLE LOCAL NON-DOMESTIC DISCHARGE LIMITS<sup>(1)</sup></b>	
<u>CONSTITUENT</u>	<u>MILLIGRAMS/LITER</u>
1,4-dioxane <sup>(2)</sup>	1.0
Ammonia	Mass <sup>(3)</sup>
Arsenic	2.0
Biochemical Oxygen Demand (BOD)	Mass <sup>(3)</sup>
Cadmium	1.0
Chromium (Total)	20.0
Copper	3.0
Cyanide (Total)	5.0
Lead	2.0
Mercury	0.03
Molybdenum	2.3
Nickel	10.0
Pesticides	0.01
Oil and Grease of Mineral or Petroleum Origin <sup>(4)</sup>	100.0
Polychlorinated Biphenyls (PCB)	0.01
Selenium	3.9
Silver	15.0
Sulfide (Dissolved)	0.5
Sulfide (Total)	5.0
Zinc	10.0
 <b>MAXIMUM ALLOWABLE DISCHARGE LIMITS FOR WASTEHAULERS DISCHARGING DOMESTIC SEPTAGE TO THE OCSD WASTEHAULER STATION</b>	
<u>CONSTITUENT</u>	<u>MILLIGRAMS/LITER</u>
Cadmium	1.0
Chromium	35.0
Copper	25.0
Lead	10.0
Nickel	10.0
Zinc	50.0

<sup>(1)</sup> Users subject to Federal Categorical Pretreatment Standards may be required to meet more stringent limits.

<sup>(2)</sup> 1,4-dioxane is also known as "p-dioxane."

<sup>(3)</sup> BOD and ammonia mass discharged will be tracked by OCSD and Users. It is the Permittee's responsibility to report the intended technically-based mass use to OCSD.

<sup>(4)</sup> "Oil and Grease of Mineral or Petroleum Origin" is also known as "Petroleum Oil and Grease as Silica Gel Treated n-Hexane Extractable Material" or "SGT-HEM Non-Polar Material."

## ARTICLE 3. DISCHARGE PERMITS, CERTIFICATIONS, CHARGES, AND FEES

### 301. INTRODUCTION

- A. To provide the maximum public benefit from the use of OCSD's Sewerage Facilities, written authorization to use said facilities is required. This written authorization shall be in the form of a discharge permit or certification. No vested right shall be given by issuance of permits or certifications provided for in this Ordinance. OCSD reserves the right to establish, by Ordinance regulation, or in Wastewater Discharge Permits or certifications, more stringent standards or requirements on discharges to OCSD Sewerage Facilities if deemed by the General Manager appropriate to comply with this Ordinance and the requirements of Regulatory Agencies.
- B. The discharge permit shall be in one of five forms and is dependent upon the type of discharger, volume, and characteristics of discharge. The five discharge permits are:
  - 1. Class I Wastewater Discharge Permit.
  - 2. Class II Wastewater Discharge Permit.
  - 3. Dry Weather Urban Runoff Discharge Permit.
  - 4. Special Purpose Discharge Permit.
  - 5. Wastehauler Discharge Permit.
- C. The Discharge Certification is issued to those Users that are discharging regulated Wastewater but are not otherwise required to obtain a discharge permit.
- D. The Zero Discharge Certification is issued to certify that a particular Pollutant or process is not used or discharged to OCSD, even though regulated process Wastewater may still be generated on-site and eventually hauled or otherwise eliminated. Such a facility does not require a discharge permit, but may require a Zero Discharge Certification.

### 302. CLASS I WASTEWATER DISCHARGE PERMITS

- A. No User requiring a Class I permit shall discharge Wastewater without obtaining a Class I Wastewater Discharge Permit.
- B. Class I Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by OCSD. The conditions of Wastewater Discharge

Permits shall be enforced by OCSD in accordance with this Ordinance and applicable state and federal regulations.

- C. All Class I Users proposing to discharge directly or indirectly into the OCSD Sewerage Facilities shall obtain a Wastewater Discharge Permit by filing an application pursuant to Section 302.1 and paying the applicable fees pursuant to Section 302.3. For purposes of this Ordinance, a Class I User is any User:
1. Subject to Federal Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; or
  2. That discharges an average of 25,000 gallons per day or more of process Wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown Wastewater); or
  3. Contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the OCSD POTW; or
  4. That is designated as such by OCSD on the basis that the Industrial User has a reasonable potential for adversely affecting the OCSD POTW's operation or for violating any Pretreatment Standard, Local Limit or requirement (in accordance with 40 CFR 403.8(f)(6)); or
  5. That may cause Pass Through affecting OCSD's ability to comply with its NPDES Permit or other regulations and standards; or
  6. That may cause Interference with OCSD's Sewerage Facilities.

### 302.1 Class I Wastewater Discharge Permit Application

- A. Any User required to obtain a Class I Wastewater Discharge Permit shall complete and file with OCSD, prior to commencing discharge, an application on the form prescribed by OCSD. The applicant shall submit, in units and terms appropriate for evaluation, the following information:
1. Name, address, assessor's parcel number(s), NAICS number(s), description of the manufacturing process or service activity.
  2. (Whichever is applicable) name, address of any and all principals/owners/major shareholders of company; Articles of Incorporation; most recent Report of the Secretary of State; Business License.
  3. Volume of Wastewater to be discharged.

4. Name of individual who can be served with notices other than officers of corporation.
  5. Name and address of property owner, landlord and/or manager of the property.
  6. Water supplier and water account numbers.
  7. Wastewater constituents and characteristics as required by OCSD, including, but not limited to, those mentioned in Section 215, Mass Emission Rate Determination, and Table 1, Local Discharge Limits, of this Ordinance. These constituents and characteristics shall be determined by a laboratory selected by the discharger and acceptable to OCSD.
  8. Time and duration of discharge.
  9. Number of employees per shift and hours of work per employee per day for each shift.
  10. Waste minimization, best management practices, and water conservation practices.
  11. Production records, if applicable.
  12. Waste-Tracking Forms, if applicable.
  13. Landscaped area in square feet, if applicable.
  14. Tons of cooling tower capacity, if applicable.
  15. EPA Hazardous Waste Generator Number, if applicable.
  16. Any other information as specified.
- B. Applicants may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, Pretreatment equipment, and appurtenances by size, location, and elevation for evaluation.
- C. Applicants may also be required to submit information related to the applicant's business operations, processes, and potential discharge as may be requested by OCSD to properly evaluate the permit application.
- D. After evaluation of the data, OCSD may issue a Wastewater Discharge Permit, subject to terms and conditions set forth in this Ordinance and as



otherwise determined by the General Manager to be appropriate to protect OCSD's Sewerage Facilities.

- E. The permit application may be denied if the applicant fails to establish to OCSD's satisfaction that adequate Pretreatment equipment is included within the applicant's plans to ensure that the discharge limits will be met or if the applicant has, in the past, demonstrated an inability to comply with applicable discharge limits.
- F. The permit application may be denied if the applicant has in the past demonstrated an inability to keep current with OCSD invoices for items such as Permit Fees, Non-Compliance Resampling Fees, Civil Penalties, Administrative Civil Penalties, Charges for Use, and Supplemental Capital Facilities Capacity Charges.

### 302.2 Class I Permit Conditions, and Limits

- A. A Class I permit shall contain all of the following conditions or limits:
  - 1. Mass Emission Rates and concentration limits regulating non-compatible Pollutants, including BMPs based on applicable Pretreatment Standards.
  - 2. Requirements to notify OCSD in writing prior to modification to processes or operations through which Industrial Wastewater may be produced.
  - 3. Location of the User's on-site sampling point.
  - 4. Requirements for submission of self-monitoring reports, technical reports, production data, discharge reports, compliance with Pretreatment Standards, BMP-based Pretreatment Standards and/or Local Limits, and/or Waste-Tracking Forms.
  - 5. Requirements for maintaining, for a minimum of three (3) years, plant records relating to Wastewater discharge, and Waste-Tracking Forms as specified by OCSD.
  - 6. Requirements to submit copies of tax and water bills.
- B. A Class I permit may contain any of the following conditions and/or limits:
  - 1. Requirements for the User to construct and maintain, at his own expense, appropriate Pretreatment equipment, pH control, Flow Monitoring Facilities, and sampling facilities.

2. Limits on rate and time of discharge or requirements for flow regulation and equalization.
3. Requirements to self-monitor.
4. Assumed values for BOD and suspended solids characteristics that typify the Discharger's effluent for determination of the charge for use.
5. Other terms and conditions which may be appropriate to ensure compliance with this Ordinance or determined by the General Manager to be appropriate to protect OCSD's Sewerage System.

### 302.3 Class I Permit Fee

- A. The Class I permit fee shall be in an amount adopted by Ordinance of the Board of Directors. The permit fee shall be payable at the time a permit application is submitted for the issuance of a new permit or a renewed permit. Payment of permit fees must be received by OCSD prior to issuance of either a new permit or a renewed permit. Permittee shall also pay any delinquent invoices in full prior to permit renewal.
- B. Any permit issued for a location wherein the Permittee is not the property owner may be conditioned upon depositing financial security to guarantee payment of all annual fees and charges to be incurred, in accordance with the provisions of Section 623.(E) of this Ordinance.

### 302.4 Class I Permit Modification of Terms and Conditions

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the General Manager during the life of the permit based on:
  1. The Discharger's current or anticipated operating data;
  2. OCSD's current or anticipated operating data;
  3. Changes in the requirements of Regulatory Agencies which affect OCSD; or
  4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. New source indirect Dischargers shall be required to install and start up any

necessary pollution control equipment before beginning discharge, and comply with applicable Federal Categorical Pretreatment Standards not to exceed thirty (30) days after the commencement of discharge.

- C. Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. OCSD shall review the request, make a determination on the request, and respond in writing.
- D. Permittee shall be informed of any change in the permit limitations, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

### 302.5 Class I Permit Duration and Renewal

Class I permits shall normally be issued for a period not to exceed four (4) years. At least forty-five (45) days prior to the expiration of the permit, the User shall apply for renewal of the permit in accordance with the provisions of this Article 3.

### 302.6 Class I Permit Charge for Use

- A. The purpose of a charge for use is to ensure that each recipient of sewerage service from OCSD pays its reasonably proportionate share of all the costs of providing that sewerage service. Charges for use to recover the cost of conveying, treating, and disposing of Sewage in OCSD's Sewerage Facilities are exclusive of any fees levied by local sewerage agencies. The charge for use shall be based on the total maintenance, operation, capital expenditures, and reserve requirements for providing Wastewater collection, treatment, and disposal.
- B. A Discharger who is issued a Class I Wastewater Discharge Permit under the provisions of this Ordinance shall pay a charge for use in accordance with the formula contained herein and the unit charge rates adopted by Ordinance of the Board of Directors. These fees shall be invoiced on a quarterly basis. The quarterly invoice shall be based upon an estimate of the annual use as determined by OCSD. OCSD shall compute the charge for use based upon actual use for the preceding fiscal year on an annual reconciliation statement.
- C. The charge for use is payable within forty-five (45) days of invoicing by OCSD. A special assessment credit will be allowed for any regional sanitary sewer service charge adopted by the Board of Directors by separate Ordinance and levied against the permitted property.
- D. In order for OCSD to determine actual annual water use, the User shall

provide to OCSD copies of its water bills. If these water bill copies are not received by August 15th of each year for the 12-month period ended closest to June 30, OCSD will endeavor to obtain the water use data. Data obtained by OCSD will be considered correct and will not be adjusted before the next annual reconciliation statement. There shall be a fee levied for OCSD administrative costs when OCSD obtains water use data. OCSD's Board of Directors shall adopt the amount of the fee.

- E. The charge for use shall be computed by the following formula:

$$\text{Charge for Use} = \text{VoV} + \text{BoB} + \text{SoS} - \text{Special Assessment Credit}$$

Where V = total annual volume of flow, in millions of gallons

B = total annual discharge of biochemical oxygen demand, in thousands of pounds

S = total annual discharge of suspended solids, in thousands of pounds

Vo, Bo, So = Unit Charge rates established and adopted by Ordinance of OCSD's Board of Directors, based upon the funding requirements of providing sewerage service, in dollars per unit as described in Paragraph F below:

- F. The Unit Charge rates in the charge-for-use formula shall be determined by the following method:

1. An Operations and Maintenance component of the Unit Charge for the total annual operation and maintenance funding requirements of the Sewerage System shall be levied at a rate to be determined from time to time by the Board of Directors. This Charge shall be allocated among the three Wastewater charge parameters of flow, biochemical oxygen demand and suspended solids in accordance with the General Manager's determination as to the costs associated with each parameter and pursuant to applicable requirements of state and federal Regulatory Agencies.

The operation and maintenance costs as distributed to flow, biochemical oxygen demand and suspended solids shall be divided by the projected annual total flow volume and weights of biochemical oxygen demand and suspended solids to be treated by the Sewerage System in the budgeted year.

2. A Capital Facilities Replacement Service component of the Unit Charge for capital replacement and capital improvement shall be levied at a rate to be determined from time to time by the Board of

Directors. This charge shall be allocated among Wastewater charge parameters of flow, biochemical oxygen demand, and suspended solids in accordance with the General Manager's determination of which portion of the charge predominantly relates to each parameter.

The capital facilities charge distributed to biochemical oxygen demand, and suspended solids shall be divided by the projected annual weights of biochemical oxygen demand and suspended solids to be treated by the Sewerage System in the budgeted year.

3. The Unit Charge rates for each respective Wastewater component in (1) and (2) above shall be summed. The Unit Charge rates so determined will be expressed in dollars per million gallons for  $V_o$ , and in dollars per thousand pounds for  $B_o$  and  $S_o$ .
- G. Other measurements of the organic content of the Wastewater of a Discharger, such as COD or TOC, may be used instead of BOD. However, the Discharger must establish to the General Manager's satisfaction a relationship between the BOD of the Wastewater and the parameter of measure. This relationship shall be used by OCSD in determining the charge for use.

When Wastewater from sanitary facilities is discharged separately from the other Wastewater of a Discharger, the charge for use for discharging the Wastewater may be determined by using the following:

1. 25 gallons per employee per eight-hour working day.
2. BOD and suspended solids to be calculated at domestic Wastewater strength per employee per year.

The number of employees will be considered as the average number of people employed full time on a daily basis. This may be determined by averaging the number of people employed at the beginning and end of each quarter, or other period that reflects normal employment fluctuations.

### 303. CLASS II WASTEWATER DISCHARGE PERMITS

- A. No User requiring a Class II permit shall discharge Wastewater without obtaining a Wastewater Discharge Permit.
- B. Class II Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use and fees established by OCSD. The conditions of Wastewater Discharge Permits shall be enforced by OCSD in accordance with this Ordinance and applicable state and federal regulations.

- C. All Class II Users proposing to discharge directly or indirectly into the OCSD's Sewerage Facilities shall obtain a Wastewater Discharge Permit by filing an application pursuant to Section 303.1 and paying the applicable fees pursuant to Section 303.3. For purposes of this Ordinance, a Class II User is any User:
1. Whose charge for use is greater than the special assessment "OCSD Sewer User Fee" included on the County of Orange secured property tax bill exclusive of debt service; and
  2. Discharging Wastewater other than sanitary; and
  3. Not otherwise required to obtain a Class I permit.

### 303.1 Class II Wastewater Discharge Permit Application

- A. Any User required to obtain a Class II Wastewater Discharge Permit shall complete and file with OCSD, prior to commencing discharge, an application on the form prescribed by OCSD. The applicant shall submit, in units and terms appropriate for evaluation, the following information:
1. Name, address, assessor's parcel number(s) and NAICS number(s); description of the manufacturing process or service activity.
  2. Name and address of any and all principals/owners/major shareholders of company; Articles of Incorporation; most recent Report of the Secretary of State; Business License.
  3. Volume of Wastewater to be discharged.
  4. Name of individual who can be served with notices other than officers of corporation.
  5. Name and address of property owner, landlord and/or manager of the property.
  6. Water supplier and water account numbers.
  7. Wastewater constituents and characteristics as required by OCSD, including, but not limited to, those mentioned in Section 215, Mass Emission Rate Determination, and Table 1, Local Discharge Limits of this Ordinance. These constituents and characteristics shall be determined by a laboratory selected by the Discharger and acceptable to OCSD.

8. Time and duration of discharge.
  9. Number of employees and average hours of work per employee per day.
  10. Production records, if applicable.
  11. Waste-Tracking Forms, if applicable.
  12. Landscaped area in square feet, if applicable.
  13. Tons of cooling tower capacity, if applicable.
  14. EPA Hazardous Waste Generator Number, if applicable.
  15. Any other information as specified.
- B. Applicants may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, Pretreatment systems, and appurtenances by size, location, and elevation for evaluation.
- C. Applicants may also be required to submit other information related to the applicant's business operations, processes, and potential discharge as may be requested to properly evaluate the permit application.
- D. After evaluation of the data furnished, OCSD may issue a Wastewater Discharge Permit, subject to terms and conditions set forth in this Ordinance and as otherwise determined by the General Manager to be appropriate to protect the OCSD system.
- E. The permit application may be denied if the applicant fails to establish to OCSD's satisfaction that adequate Pretreatment equipment is included within the applicant's plans to ensure that the discharge limits will be met or if the applicant has, in the past, demonstrated an inability to comply with applicable discharge limits.

### 303.2 Class II Permit Conditions and Limits

- A. A Class II permit shall contain all of the following conditions and/or limits:
1. Applicable Mass Emission Rates and concentration limits regulating non-compatible Pollutants.
  2. Requirements to notify OCSD in writing prior to modification to processes or operations through which Industrial Wastewater may

be produced.

3. Location of the User's on-site sample point.
  4. Requirements for submission of technical reports, production data, discharge reports, and/or Waste-Tracking Forms.
  5. Requirements to submit copies of tax and water bills.
- B. A Class II permit may contain any of the following conditions and/or limits:
1. Requirements for the User to construct and maintain, at his own expense, appropriate Pretreatment equipment, pH control, flow monitoring and/or sampling facilities.
  2. Limits on rate and time of discharge or requirements for flow regulation and equalization.
  3. Assumed values for BOD and suspended solids characteristics that typify the Discharger's effluent for determination of the charge for use.
  4. Requirements to self-monitor.
  5. Requirements for maintaining, for a minimum of three years, plant records relating to Wastewater discharge, and Waste-Tracking Forms as specified by OCSD.
  6. Other provisions which may be appropriate to ensure compliance with this Ordinance.
  7. Other terms and conditions determined by the General Manager to be appropriate to protect OCSD's Sewerage System.

### 303.3 Class II Permit Fee

- A. The Class II permit fee shall be in an amount adopted by Ordinance of the Board of Directors. The permit fee shall be payable at the time a permit application is submitted for the issuance of a new permit or a renewed permit. Payment of the permit fee must be received by OCSD prior to issuance of either a new permit or a renewed permit. Permittee shall also pay any delinquent invoices in full prior to permit renewal.
- B. Any permit issued for a location wherein the Permittee is not the property owner may be conditioned upon depositing financial security to guarantee payment of all annual fees and charges to be incurred, in accordance with the provisions of Section 623.(E) of this Ordinance.



### 303.4 Class II Permit Modification of Terms and Conditions

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the General Manager during the life of the permit based on:
  - 1. The Discharger's current or anticipated operating data;
  - 2. OCSD's current or anticipated operating data;
  - 3. Changes in the requirements of Regulatory Agencies which affect OCSD; or
  - 4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. The Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. OCSD shall review the request, make a determination on the request, and respond in writing.
- C. Permittee shall be informed of any change in the permit limitations, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

### 303.5 Class II Permit Duration and Renewal

Class II permits shall normally be issued for a period not to exceed five (5) years. At least forty-five (45) days prior to the expiration of the permit, the User shall apply for renewal of the permit in accordance with the provisions of this Article 3.

### 303.6 Class II Permit Charge for Use

- A. The purpose of a charge for use is to ensure that each recipient of sewerage service from OCSD pays its reasonably proportionate share of all the costs of providing that sewerage service. Charges for use to recover the cost of conveying, treating, and disposing of Sewage in OCSD's Sewerage Facilities are exclusive of any fees levied by local sewerage agencies. The charge for use shall be based on the total maintenance, operation, capital expenditures, and reserve requirements for providing Wastewater collection, treatment, and disposal.
- B. A Discharger who is issued a Class II Wastewater Discharge Permit under the provisions of this Ordinance shall pay a charge for use in accordance

with the formula contained herein and the Unit Charge rates adopted annually by Ordinance of the Board of Directors. These fees shall be invoiced on a quarterly basis. The quarterly invoice shall be based upon an estimate of the annual use as determined by OCSD.

Annually, OCSD shall compute the charge for use based upon actual use for the preceding fiscal year on an annual reconciliation statement. The charge for use is payable within forty-five (45) days of invoicing by OCSD. A special assessment credit will be allowed for any regional sanitary sewer service charge adopted by the Board of Directors by separate Ordinance and levied against the permitted property.

- C. In order for OCSD to determine actual annual water use, the User shall provide to OCSD copies of its water bills. If these water bill copies are not received by August 15th of each year for the 12-month period ended closest to June 30, OCSD will endeavor to obtain the water use data. Data obtained by OCSD will be considered correct and will not be adjusted before the next annual reconciliation statement.

There shall be a fee levied for OCSD administrative costs when water use data is obtained by OCSD. The amount of the fee shall be adopted by the OCSD Board of Directors.

- D. The charge for use shall be computed by the following formula:

$$\text{Charge for Use} = \text{VoV} + \text{BoB} + \text{SoS} - \text{Special Assessment Credit}$$

Where V = total annual volume of flow, in millions of gallons

B = total annual discharge of biochemical oxygen demand, in thousands of pounds

S = total annual discharge of suspended solids, in thousands of pounds

Vo, Bo, So = Unit Charge rates adopted annually by Ordinance of OCSD's Board of Directors, based upon the funding requirements of providing sewerage service, in dollars per unit as described in Paragraph E below.

- E. The unit charge rates in the charge for use formula shall be established annually and shall be determined by the following method:
  - 1. An Operations and Maintenance component of the Unit Charge for the total annual operation and maintenance funding requirements of the Sewerage System shall be levied at a rate to be determined from time to time by the Board of Directors. This charge shall be allocated among the three Wastewater charge parameters of flow, biochemical

oxygen demand and suspended solids in accordance with the General Manager's determination as to the costs associated with each parameter and pursuant to applicable requirements of state and federal Regulatory Agencies.

The operation and maintenance costs as distributed to flow, biochemical oxygen demand and suspended solids shall be divided by the projected annual total flow volume and weights of biochemical oxygen demand and suspended solids to be treated by the Sewerage System in the budgeted year.

2. A Capital Facilities Replacement component of the Unit Charge for capital replacement and capital improvement shall be levied at a rate to be determined from time to time by the Board of Directors. This charge shall be allocated among the three Wastewater charge parameters of flow, biochemical oxygen demand and suspended solids in accordance with the General Manager's determination of which portion of the charge predominantly relates to each parameter.

The capital facilities charge distributed to biochemical oxygen demand and suspended solids shall be divided by the projected annual weights of biochemical oxygen demand and suspended solids to be treated by the Sewerage System in the budgeted year.

3. The unit charge rates for each respective Wastewater component in (1) and (2) above shall be summed. The Unit Charge rates so determined will be expressed in dollars per million gallons for  $V_o$ , and in dollars per thousand pounds for  $B_o$  and  $S_o$ .

- F. Other measurements of the organic content of the Wastewater of a Discharger, such as COD or TOC, may be used instead of BOD. However, the Discharger must establish to the General Manager's satisfaction a relationship between the BOD of the Wastewater and the other parameter of measure. This relationship shall be used by OCSD in determining the charge for use. When Wastewater from sanitary facilities is discharged separately from the other Wastewater of a Discharger, the charge for use for discharging the sanitary Wastewater may be determined by using the following:

1. 25 gallons per employee per eight-hour working day.
2. BOD and suspended solids to be calculated at domestic Wastewater strength per employee per year.

The number of employees will be considered as the average number of people employed full time on a daily basis. This may be

determined by averaging the number of people employed at the beginning and end of each quarter, or other period that reflects normal employment fluctuations.

304. DRY WEATHER URBAN RUNOFF DISCHARGE PERMITS

- A. No User shall discharge urban runoff directly to OCSD's Sewerage System without obtaining a Dry Weather Urban Runoff Discharge Permit.
- B. OCSD shall determine whether the dry weather urban runoff proposed to be discharged into OCSD's Sewerage System may cause a potential environmental risk and/or health hazard that cannot be economically or practically controlled by alternative disposal methods.
- C. Dry Weather Urban Runoff Discharge Permits shall be subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by OCSD.
- D. All Users required to obtain a Dry Weather Urban Runoff Discharge Permit proposing to discharge directly or indirectly into OCSD's Sewerage Facilities shall file an application pursuant to Section 304.1 and pay the applicable fees pursuant to Sections 304.3 and 304.6.

304.1 Dry Weather Urban Runoff Discharge Permit Application

- A. An applicant shall contact OCSD prior to any construction of facilities and discharge of dry weather urban runoff into the Sewerage System to determine if the discharge of dry weather urban runoff to the OCSD's Sewerage Facilities is feasible.
- B. Applicants shall complete and file with OCSD, prior to commencing discharge, an application in the form prescribed by OCSD. This application shall be accompanied by applicable fees, design plans, a detailed analysis of other disposal alternatives, or other data as needed by OCSD for review. The applicant shall provide justification that disposal alternatives for the dry weather urban runoff are not economically or practically feasible in lieu of sewer discharge.
- C. In addition to the discharge permit, OCSD may require that the permit applicant enter into an agreement setting forth the terms under which the dry weather urban runoff discharge is authorized.
- D. Applicants shall provide adequate Pretreatment and/or Best Management Practices included within the applicants' plans to ensure that the applicable discharge limits shall be met.

### 304.2 Dry Weather Urban Runoff Discharge Permit Condition and Limits

The issuance of a Dry Weather Urban Runoff Discharge Permit may contain any the following conditions or limits:

- A. Mass Emission Rates and concentration limits regulating non-compatible Pollutants.
- B. Requirements for the User to construct and maintain, at the User's expense, appropriate Pretreatment equipment, Flow Monitoring Facilities, and devices to prevent storm water discharge into OCSD's Sewerage System during a wet weather event (rain event).
- C. Requirements for the User to provide OCSD with its operations and maintenance plan, best management practices, and pollution prevention strategies designed to minimize or eliminate dry weather urban runoff Pollutants.
- D. Limits on rate and time of discharge or requirements for flow regulation and equalization prior to discharge to the Sewerage System.
- E. Requirements to self-monitor the discharge to the Sewerage System.
- F. The General Manager may impose additional requirements as may be appropriate to reduce the burden on OCSD's Sewerage Facilities.
- G. Prohibitions on the discharge, which may cause OCSD's effluent, biosolids, or any other product of its treatment process, to be unsuitable for reclamation, reuse, or disposal.

### 304.3 Dry Weather Urban Runoff Discharge Permit Fee

The Dry Weather Urban Runoff Discharge Permit fee shall be paid by the applicant in an amount established in the applicable Ordinance adopted by OCSD's Board of Directors. Payment of permit fees must be received by OCSD prior to issuance of either a new permit or a renewed permit. Each Permittee shall also pay delinquent invoices in full prior to permit renewal.

### 304.4 Dry Weather Urban Runoff Discharge Permit Modification of Terms and Conditions

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by OCSD during the life of the permit based on:
  - 1. The discharger's current or anticipated operating data;

2. OCSD's current or anticipated operating data;
  3. Changes in the requirements of Regulatory Agencies, which affect OCSD; or
  4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. A Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested changes and the reasons for the change. OCSD shall review the request, make a determination on the request, and respond accordingly.
- C. A Permittee shall be informed of any changes in the permit at least forty-five (45) days prior to the effective date change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

#### 304.5 Dry Weather Urban Runoff Discharge Permit Duration and Renewal

Dry Weather Urban Runoff Discharge Permit shall normally be issued for a period not to exceed five (5) years. At least forty-five (45) days prior to the expiration of the permit, the User shall apply for renewal of the permit in accordance with the provisions of this Article 3.

#### 304.6 Dry Weather Urban Runoff Discharge Permit Charge for Use

A Discharger who is issued a Dry Weather Urban Runoff Discharge Permit under the provision of this Ordinance shall pay a charge for use in accordance with rates established by Ordinance adopted by OCSD's Board of Directors.

#### 305. SPECIAL PURPOSE DISCHARGE PERMITS

- A. No User requiring a Special Purpose Discharge Permit shall discharge Wastewater without obtaining a Special Purpose Discharge Permit. Alternatively, at the discretion of the OCSD Division Head or Department Head, OCSD may issue a Letter to Discharge in lieu of a Special Purpose Discharge Permit.
- B. Special Purpose Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by OCSD. The conditions of Special Purpose Discharge Permits shall be enforced by OCSD in accordance with this Ordinance and applicable state and federal regulations.
- C. All Special Purpose Discharge Permit Users proposing to discharge directly

or indirectly into OCSD's Sewerage Facilities shall obtain a Special Purpose Discharge Permit by filing an application pursuant to Section 305.1 and paying the applicable fees pursuant to Sections 305.3 and 305.6. This discharge permit may be granted when no alternative method of disposal is reasonably available, or to mitigate an environmental risk or health hazard.

### 305.1 Special Purpose Discharge Permit Application

- A. Applicants seeking a Special Purpose Discharge Permit shall complete and file with OCSD, prior to commencing discharge, an application in the form prescribed by OCSD. This application shall be accompanied by the applicable fees, plumbing plans, a detailed analysis of the alternatives for water disposal, or other data as needed by OCSD for review.
- B. The permit application may be denied when the applicant has failed to establish to OCSD's satisfaction that adequate Pretreatment equipment is included within the applicants' plans to ensure that the discharge limits will be met or that the applicant has, in the past, demonstrated an inability to comply with applicable discharge limits.

### 305.2 Special Purpose Discharge Permit Conditions and Limits

- A. Discharge conditions and limits shall be no less stringent than Section 201(A), General Prohibitions; 201(B), Specific Prohibitions; Section 213, Mass Emission Rate Determination; and Table 1, Local Discharge Limits.
- B. Monitoring requirements for the discharge shall be for those non-compatible Pollutants known to exist in the discharge. At least one set of baseline analysis prior to or upon sewer discharge may be required for all constituents contained in the most current Environmental Protection Agency (EPA) "Priority Pollutant" list, excluding asbestos, as listed in Appendix A of 40 CFR Part 423, or as subsequently amended.
- C. OCSD may specify and make part of each Special Purpose Discharge Permit specific Pretreatment Requirements or other terms and conditions determined by the General Manager to be appropriate to protect OCSD's Sewerage Facilities, the Local Sewering Agency, to comply with Regulatory Agencies' requirements, to ensure compliance with this Ordinance, and to assess a charge for use.

### 305.3 Special Purpose Discharge Permit Fee

The special purpose discharge permit fee shall be paid by the applicant in an amount adopted by Ordinance of the Board of Directors. Payment of permit fees must be received by OCSD prior to issuance of either a new permit or a renewed permit. Each Permittee shall also pay delinquent invoices in full prior to permit renewal.

### 305.4 Special Purpose Discharge Permit Modification of Terms and Conditions

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by OCSD during the life of the permit based on:
  - 1. The Discharger's current or anticipated operating data;
  - 2. OCSD's current or anticipated operating data;
  - 3. Changes in the requirements of Regulatory Agencies which affect OCSD; or
  - 4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. A Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. OCSD shall review the request, make a determination on the request, and respond in writing.
- C. A Permittee shall be informed of any changes in the permit at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

### 305.5 Special Purpose Discharge Permit Duration and Renewal

Special purpose discharge permits shall normally be issued for a period not to exceed five (5) years, but may be renewed as determined by the General Manager. Users seeking permit renewal shall comply with all provisions of this Article 3.

### 305.6 Special Purpose Discharge Permit Charge for Use

The General Manager shall establish a charge for use to cover all costs of OCSD for providing sewerage service and monitoring. A deposit determined by the General Manager to be sufficient to pay the estimated charges for use shall accompany the Special Purpose Discharge Permit application, and said deposit shall be applied to the charges for use.



306. WASTEHAULER DISCHARGE PERMIT

- A. Wastehauler Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by OCSD. The conditions of Wastehauler Discharge Permits shall be enforced by OCSD in accordance with this Ordinance and applicable state and federal regulations.
- B. A Wastehauler proposing to discharge Waste and/or Wastewater into the OCSD Wastehauler Station shall obtain and keep current both a valid Orange County Health Care Agency registration (where applicable), and a OCSD Wastehauler Discharge Permit.

306.1 Wastehauler Discharge Permit Application

- A. No User or Wastehauler shall discharge waste and/or Wastewater without both a valid Orange County Health Care Agency registration (where applicable) and an OCSD Wastehauler Discharge Permit.
- B. Any User or Wastehauler required to obtain a Wastehauler Discharge Permit shall complete and file with OCSD prior to commencing discharge, an application in a form prescribed by OCSD. This application shall be accompanied by the applicable fees. The applicant shall submit, in units and terms appropriate for evaluation, the following information:
  - 1. Name, address, telephone number, and description of the industries or clients using the applicant's services.
  - 2. (Whichever is applicable) Name and address of any and all principals/owners/major shareholders of the company, Articles of Incorporation, most recent Report of the Secretary of State, and Business License.
  - 3. Name and address of leaseholder of the vehicle or trailer, if applicable.
  - 4. Number of trucks and trailers and the license numbers and tank hauling capacity of each truck or trailer.
  - 5. A copy of the applicant's valid Orange County Health Care Agency registration, where applicable.
- C. Wastehaulers discharging Food Service Establishment grease waste into OCSD's Wastehauler Station must have a valid California Department of Food and Agriculture (CDFA) permit, if required by law.

- D. Other information related to the applicant's business operations and potential discharge may be requested to properly evaluate the permit application.
- E. After evaluation of the data furnished, OCSD may issue a Wastehauler Discharge Permit, subject to terms and conditions set forth in this Ordinance and as otherwise determined by the General Manager to be appropriate to protect OCSD's Sewerage System.

### 306.2 Wastehauler Discharge Permit Conditions and Limits

The issuance of a Wastehauler permit may contain any of the following conditions or limits:

- A. Limits on discharge of heavy metals and other priority Pollutants.
- B. Requirements for maintaining and submitting Wastehauling records and Waste-Tracking Forms, and a valid copy of a current Orange County Health Care Agency registration (where applicable).
- C. Additional requirements as otherwise determined to be appropriate by the General Manager to protect OCSD's Sewerage System or as specified by other Regulatory Agencies.
- D. Other terms and conditions which may be applicable to ensure compliance with this Ordinance.

### 306.3 Wastehauler Discharge Permit Fee

The Wastehauler discharge permit fee shall be paid by the applicant in an amount adopted by Ordinance of the Board of Directors. Payment of permit fees must be received by OCSD prior to issuance of either a new permit or a renewed permit. A Permittee shall also pay any delinquent invoices in full prior to permit renewal.

### 306.4 Wastehauler Identification Decal and Access Card Transfer

- A. The identification decal is non-transferable.
- B. If a gate access card is issued, it shall be issued to a specific permitted vehicle and is non-transferable unless previously authorized in writing by OCSD.

### 306.5 Wastehauler Discharge Permit Modification of Terms and Conditions

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by OCSD during the life of the permit

based on:

1. The Discharger's current or anticipated operating data;
  2. OCSD's current or anticipated operating data;
  3. Changes in the requirements of Regulatory Agencies which affect OCSD; or
  4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. OCSD shall review the request, make a determination on the request, and respond in writing.
- C. Permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

#### 306.6 Wastehauler Discharge Permit Duration and Renewal

Wastehauler Discharge Permits shall be issued for a period not to exceed three (3) years. The Wastehauler Discharge Permit is contingent upon the Permittee maintaining a valid Orange County Health Care Agency Permit registration throughout the duration of the Wastehauler Discharge Permit. If at any time, the Permittee is determined to not have a valid OCHCA registration, the OCSD Wastehauler Discharge Permit will be immediately revoked. Upon expiration of the permit, the User and/or Wastehauler shall apply for renewal of the permit in accordance with the provisions of Article 3.

#### 306.7 Wastehauler Discharge Permit Charge for Use

A charge for use to cover all costs of OCSD for providing the Wastehauler Station service and monitoring shall be established by Ordinance of the Board of Directors.

#### 307. DISCHARGE CERTIFICATIONS

- A. Discharge Certifications may be issued to those Users that are discharging regulated Wastewater but are not otherwise required to obtain a discharge permit.
- B. No User requiring a Discharge Certification, or a Zero Discharge Certification shall discharge non-domestic Wastewater to OCSD without obtaining certification.

- C. Discharge Certifications shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by OCSD. The conditions of the Discharge Certifications shall be enforced by OCSD in accordance with this Ordinance and applicable state and federal regulations.
- D. All Users subject to Discharge Certifications proposing to discharge directly or indirectly into the OCSD's Sewerage Facilities shall obtain a Discharge Certification by filing an application and paying all applicable fees thereto.
- E. A User required to obtain a Discharge Certification may be required, at OCSD's discretion, to submit a completed application, and OCSD will approve the certification or otherwise proceed as required by federal law.
- F. The Discharge Certification shall contain as a minimum:
  - 1. BMPs to regulate the quality of Wastewater discharged;
  - 2. Requirements to periodically certify that appropriate BMPs are being practiced or are no longer necessary;
  - 3. Requirements to notify OCSD in writing prior to modification to processes or operations through which regulated Wastewater may be produced;
  - 4. Notice that OCSD may inspect the facility as necessary to assess and assure compliance with all discharge requirements; and
  - 5. Requirements to comply with Resource Conservation and Recovery Act (RCRA) and state hazardous waste regulations regarding the proper disposal of hazardous waste.
- G. A Zero Discharge Certification shall contain at a minimum:
  - 1. A statement that no discharge of regulated Wastewater is permitted;
  - 2. Requirements to notify OCSD of any changes in operation resulting in a potential for discharge;
  - 3. Requirements to periodically certify that no discharge of regulated Wastewater has occurred;
  - 4. Notice that OCSD may inspect the facility as necessary to assess and assure compliance with the "no discharge" requirement; and

5. Requirements to comply with Resource Conservation and Recovery Act (RCRA) and state hazardous waste regulations regarding the proper disposal of hazardous waste.

308. OUT OF DISTRICT PERMITS/DISCHARGERS

- A. Industrial Wastewater Discharge Permits for Dischargers located outside OCSD's boundaries but within the OCSD service area and tributary to OCSD's Sewerage Facilities, may be issued by a Local Sewering Agency after approval by OCSD. OCSD shall have the right of inspection and sampling of the User's discharge to determine compliance with Industrial Wastewater discharge regulations. Such inspection and sampling will be performed under a coordinated plan developed with the Local Sewering Agency. The more stringent of the industrial Wastewater discharge regulations and effluent limits of OCSD and the local agency shall apply to the Discharger.
- B. Pursuant to Article 6 herein, OCSD shall have the right to enforce the Federal Regulations, the provisions of this Ordinance, and permit conditions and limits applicable to any User located outside of OCSD's service area, but whose discharge is tributary to OCSD's Sewerage Facilities.
- C. The fees for use shall be determined by OCSD and set forth in a use agreement with the Local Sewering Agency.
- D. The requirements for a liquid wastehauler program may be established by a Local Sewering Agency after obtaining written permission from OCSD.

309. RESERVED

310. RESERVED

## ARTICLE 4. FACILITIES REQUIREMENTS

### 401. DRAWING SUBMITTAL REQUIREMENTS

Upon request by OCSD:

- A. Applicants or Users may be required to submit three copies of detailed facility plans. The submittal shall be in a form and content acceptable to OCSD for review of existing or proposed Pretreatment facilities, spill containment facilities, monitoring facilities, metering facilities, and operating procedures. The review of the plans and procedures shall in no way relieve the User of the responsibility of modifying the facilities or procedures in the future, as necessary to produce a discharge acceptable to OCSD, and to meet the requirements of this Ordinance or any requirements of other Regulatory Agencies.
- B. The drawing shall depict as a minimum the manufacturing process (Wastewater generating sources), spill containment, monitoring or metering facilities, and Pretreatment facilities.
- C. The applicant or User shall submit a schematic drawing of the Pretreatment facilities, piping and instrumentation diagram, and Wastewater characterization report.
- D. Users and applicants may also be required to submit for review site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, and appurtenances by size, location, and elevation for evaluation.
- E. OCSD may require the drawings be prepared by a California Registered Chemical, Mechanical, or Civil Engineer.
- F. Permittees shall be required to submit updated detailed facility plans.

### 402. PRETREATMENT FACILITIES

- A. All Users shall provide Wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all Categorical Pretreatment Standards, Table 1, Local Discharge Limits, and the prohibitions set out in Sections 201 (A) & (B) of this Ordinance within the time limitations specified by EPA, the state, or OCSD, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated by a qualified operator, and maintained in proper operating condition at the User's expense.

- B. All Users may also be required by OCSD to submit Wastewater analysis plans, contingency plans, and meet other necessary requirements to ensure proper operation of the Pretreatment facilities and compliance with permit limits and this Ordinance.
- C. No User shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this Ordinance and the User's Permit.

403. SPILL CONTAINMENT FACILITIES/ACCIDENTAL SLUG CONTROL PLANS

- A. All Users shall provide spill containment for protection against discharge of prohibited Pollutants, materials or other Wastewaters regulated by this Ordinance. Such protection shall be designed to secure the discharges and to prevent them from entering into the Sewerage System in accordance with reasonable engineering standards. Such facilities shall be provided and maintained at the User's expense.
- B. The General Manager shall require any Significant Industrial User to develop and implement an accidental discharge/slug control plan. OCSD may evaluate whether each Industrial User needs such a plan. Any User required to develop and implement an accidental discharge/control slug plan shall submit a plan which addresses, at a minimum, the following:
  - 1. Description of discharge practices, including non-routine batch discharges.
  - 2. Description of stored chemicals.
  - 3. Procedures for immediately notifying OCSD of any accidental of slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in Article 2 of this Ordinance.
  - 4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic Pollutants (including solvents), and measures and equipment for emergency response.

#### 404. MONITORING/METERING FACILITIES

All Wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

- A. OCSD may require the User to construct and maintain in proper operating condition at the User's sole expense, flow monitoring, constituent monitoring and/or sampling facilities.
- B. Permittees may be required to install and maintain an appropriate effluent flow monitoring device. Calibration of such flow monitoring device shall be done annually or as specified in the Wastewater discharge permit.
- C. The monitoring or metering facilities may be required to include a security closure that can be locked with an OCSD provided hasp lock during sampling or upon termination of service.
- D. The location of the monitoring or metering facilities shall be subject to approval by OCSD.
- E. The User shall provide immediate, clear, safe and uninterrupted access to OCSD to the User's monitoring and metering facilities.
- F. For all industries permitted by OCSD, domestic Wastewaters shall be kept segregated from all Industrial Wastewaters until the Industrial Wastewaters have passed through any required Pretreatment system or device and the Permittee's sample point.

#### 405. WASTE MINIMIZATION REQUIREMENTS

- A. As required by a User's permit, the User shall provide waste minimization plans to reduce or eliminate Pollutant discharge to the Sewerage System and conserve water. The User shall investigate product substitution, housekeeping practices, provide inventory control, implement employee education, and other steps as necessary to minimize Wastewater produced.
- B. Upon approval by OCSD, a User may certify that their facility does not discharge any type of Wastewater containing Pollutants that may directly or indirectly discharge into OCSD's Sewerage System as a form of Best Management Practice (BMP).



ARTICLE 5. MONITORING, REPORTING, NOTIFICATION, AND INSPECTION  
REQUIREMENTS

501. MONITORING AND REPORTING CONDITIONS

A. Monitoring for Annual Charge for Use

The Wastewater constituents and characteristics of a Discharger needed for determining the annual charge for use shall be submitted in the form of self-monitoring reports by the User to OCSD, if requested. The frequency of analyses and reporting shall be set forth in the User's permit. The analyses of these constituents and characteristics shall be by a laboratory acceptable to OCSD, and at the sole expense of the Permittee. Analyses performed by OCSD's personnel may be used in the determination of the annual charge for use.

B. Monitoring for Compliance with Permit Conditions or Reporting Requirements

OCSD may require reports for self-monitoring of Wastewater constituents and characteristics of the Discharger needed for determining compliance with any limit or requirements as specified in the User's permit, federal or state regulations, or this Ordinance. The federal Pretreatment regulations, including 40 CFR 403.12(g)-(h), contain requirements for collecting samples, such as requiring that sampling be representative of conditions occurring during the reporting period and that grab samples must be collected for certain parameters. These reports include:

1. Baseline Monitoring Reports.

- a) Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Industrial Users subject to categorical Pretreatment Standard(s) currently discharging to or scheduled to discharge to OCSD shall submit to the General Manager a report which contains the information listed in paragraph b), below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Significant Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the General Manager a report which contains the information listed in paragraph c), below. A New Source shall report the method of Pretreatment it intends to use to meet applicable categorical Pretreatment Standards. A New Source also shall give estimates of its

anticipated flow and quantity of Pollutants to be discharged.

b) Users described above shall submit the information set forth below.

(1) All information required in Section 302.13 of this Ordinance, including requirements in 40 CFR 403.12(b)(1)-(7).

(2) Measurement of Pollutants.

a) The User shall provide the following information.

1) The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.

2) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the General Manager, of regulated Pollutants in the discharge from each regulated process.

3) Instantaneous, Daily Maximum, and long-term average concentrations or mass, where required, shall be reported.

4) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 501.2 of this Ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the General Manager or the applicable Standards to determine compliance with the Standard.

5) Sampling must be performed in accordance with procedures set out in Section 602 of this Ordinance.

b) The User shall take a minimum of one representative sample to compile that data

necessary to comply with the requirements of this paragraph.

- c) Samples should be taken immediately downstream from Pretreatment facilities if such exist or immediately downstream from the regulated process if no Pretreatment exists. If other Wastewaters are mixed with the regulated Wastewater prior to Pretreatment the User should measure the flows and concentrations necessary to allow use of the Combined Wastestream Formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e), this adjusted limit along with supporting data shall be submitted to OCSD;
  - d) Sampling and analysis shall be performed in accordance with this Ordinance;
  - e) The General Manager may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial Pretreatment measures;
  - f) The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected Pollutant discharges to OCSD.
- (3) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in this Ordinance and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional Pretreatment is required to meet the Pretreatment Standards and Requirements.
- (4) Compliance Schedule. If additional Pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will

provide such additional Pretreatment and/or O&M must be provided.

The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set forth in this Ordinance.

- (5) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with this Ordinance and signed by an Authorized Representative.

## 2. Compliance Schedule Progress Reports.

The following conditions shall apply to the compliance schedule required by this Ordinance:

- a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- b) No increment referred to above shall exceed nine (9) months;
- c) The User shall submit a progress report to the General Manager no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- d) In no event shall more than nine (9) months elapse between such progress reports to the General Manager.

## 3. 90-Day Compliance Reports.

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a

New Source following commencement of the introduction of Wastewater into OCSD, any User subject to such Pretreatment Standards and Pretreatment Requirements shall submit to the General Manager a report containing the information described in this Ordinance. For Users subject to equivalent mass or concentration limits, this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable Pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with this Ordinance. All sampling will be done in conformance with Section 602.

4. Periodic Compliance Reports.

- a) Except as otherwise specified in this Ordinance, all Significant Industrial Users must, at a frequency determined by the General Manager, submit no less than twice per year on dates specified by OCSD reports indicating the nature, concentration of Pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the General Manager or the Pretreatment Standard necessary to determine the compliance status of the User including documentation associated with Best Management Practices.
- b) OCSD will meet reporting requirements as specified by 40 CFR Part 3 (Cross-Media Electronic Reporting). Therefore, Users that send electronic (digital) documents to OCSD to satisfy the requirements of this Section must register for the system online and submit a signed Subscriber Agreement to OCSD for review and approval.

5. Notification of the Discharge of Hazardous Waste.

- a) Any User who commences the discharge of hazardous waste shall notify OCSD, the EPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of any discharge into OCSD of a substance which, if otherwise disposed of, would be a hazardous waste under 40

CFR Part 261. The User shall receive written approval from the OCSD to discharge hazardous waste. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to OCSD, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under subdivision 6 below. The notification requirement in this Section does not apply to Pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of this Ordinance.

- b) Dischargers are exempt from the requirements of paragraph (a), above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- c) In the case of any new regulations under section 3001 of RCRA (42 U.S.C. § 6921) identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the General Manager, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

- d) In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- e) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance, a permit issued thereunder, or any applicable federal or state law.

6. Reports of Changed Conditions

Each User must notify the General Manager's designee in writing at least thirty (30) days prior to implementing any significant changes to the User's operations, systems, or processes. Significant changes include any modifications which may alter the nature, quality, or volume of its Wastewater, or which may alter the facility's production processes and/or treatment systems and methods.

- a) The General Manager may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a Wastewater discharge permit application under this Ordinance.
- b) The General Manager may issue a Wastewater discharge permit under this Ordinance or modify an existing Wastewater discharge permit under this ordinance in response to changed conditions or anticipated changed conditions.

7. Reports of Potential Problems

- a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for OCSD, the User shall follow the notification procedures under Notification of Spill or Slug Loading in Article 5. This notification shall also include the location of the discharge, type of Wastewater, concentration and volume, if known, and corrective actions taken by the User.
- b) Within five (5) days following such discharge, the User shall, unless waived by the General Manager, submit a detailed written report. This written notification shall include, but not be limited to, the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately

correct the problem, and what steps are being taken to prevent the problem from recurring.

- c) Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage or loss to OCSD, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fees, fines, penalties, or other liability which may be imposed pursuant to this Ordinance or other applicable law.
- d) A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph a, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- e) Significant Industrial Users are required to notify the General Manager immediately of any changes at its facility affecting the potential for a Slug Discharge.

8. Reports from Unpermitted Users

All Users not required to obtain a Wastewater discharge permit shall provide appropriate reports to the General Manager as the General Manager may require.

9. Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the General Manager within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the General Manager within thirty (30) days after becoming aware of the violation. Resampling by the User is not required if OCSD performs sampling at the User's facility at least once a month, or if OCSD performs sampling at the User's facility between the time when the initial sampling was conducted and the time when the User or OCSD receives the results of this sampling, or if OCSD has performed the sampling and analysis in lieu of the User.

10. Other reports as required by OCSD.

- a) Monitoring reports of the analyses of Wastewater constituents and characteristics shall be in a manner and form approved



by OCSD and shall be submitted upon request of OCSD. When applicable, the self-monitoring requirement and frequency of reporting may be set forth in the User's permit as directed by OCSD. The analyses of Wastewater constituents and characteristics and the preparation of the monitoring report shall be done at the sole expense of the User.

- b) Failure by the User to perform any required monitoring, or to submit monitoring reports required by OCSD constitutes a violation of this Ordinance, may result in determining whether the Permittee is in significant non-compliance, and be cause for OCSD to initiate all necessary tasks and analyses to determine the Wastewater constituents and characteristics for compliance with any limits and requirements specified in the User's permit or in this Ordinance. The User shall be responsible for any and all expenses of OCSD in undertaking such monitoring analyses and preparation of reports.

#### 501.1 Inspection and Sampling Conditions

- A. OCSD may inspect and sample the Wastewater generating and disposal facilities of any User to ascertain whether the intent of this Ordinance is being met and the User is complying with all requirements.
- B. OCSD shall have the right to place on the User's property or other locations as determined by OCSD, such devices as are necessary to conduct sampling or metering operations. Other sampling locations may include downstream manholes, usually in the Sewerage System, for the purpose of determining the compliance status of an industrial or commercial Discharger.
- C. OCSD may require the User to install and maintain sample points in areas acceptable to OCSD outside the User's facility, within the reasonable control of the User or OCSD. OCSD may also require lockable sample boxes fully containing the sample points. The User shall grant OCSD access to the sample points and sample boxes in accordance with this Ordinance.
- D. In order for OCSD to determine the Wastewater characteristics of the Discharger for purposes of determining the annual use charge and for compliance with permit requirements, the User shall make available for inspection and copying by OCSD all notices, self-monitoring reports, Waste-Tracking Forms, and records including, but not limited to, those related to production, Wastewater generation, Wastewater disposal, and those required in the Pretreatment Requirements without restriction but

subject to the confidentiality provision set forth in Section 103 herein. All such records shall be kept by the User a minimum of three (3) years.

- E. If a Discharger falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method, the Discharger may be subject to imposition of penalties, permit suspension or permit revocation.

#### 501.2 Analytical Requirements

All Pollutant analyses, including sampling techniques, to be submitted as part of a Wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR 136 does not contain sampling or analytical techniques for the Pollutant in question, or where the EPA determines that the 40 CFR 136 sampling and analytical techniques are inappropriate for the Pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including EPA-approved procedures or procedures approved by the General Manager.

#### 501.3 Right of Entry

- A. Persons or occupants of premises where Wastewater is created or discharged shall allow OCSD, or its representatives, reasonable access to all parts of the Wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the Discharger's facility is open, operating, or any other reasonable time. No Person shall interfere with, delay, resist or refuse entrance to authorized OCSD personnel attempting to inspect any facility involved directly or indirectly with a discharge of Wastewater to OCSD's Sewerage System.
- B. Where a User has security measures in place, the User shall make necessary arrangements so that personnel from OCSD shall be permitted to enter without delay for the purpose of performing their specific responsibilities.

#### 501.4 Notification of Spill or Slug Loading

- A. In the event the Discharger is unable to comply with any permit condition due to a breakdown of equipment, accidents, or human error, or the Discharger has reasonable opportunity to know that a discharge will exceed the discharge provisions of the User's permit, Sections 201(A) & (B) or Table 1, Local Discharge Limits, the Discharger shall immediately notify OCSD by telephone. If the Wastewater or material discharged to the sewer has the potential to cause or result in a fire or explosion hazard, the Discharger shall immediately notify the local fire department and OCSD. Also see *Reports of Potential Problems* in this Article.

501.5 Bypass Prohibition; Notification of Bypass

- A. Bypass of Industrial Wastewater to the Sewerage System is prohibited. OCSD may take enforcement action against the User, unless:
  - 1. Bypass was unavoidable because it was done to prevent loss of life, personal injury, or severe property damage;
  - 2. There were no feasible alternatives to the Bypass, such as the use of auxiliary treatment facilities, retention of untreated Wastes, elective slow-down or shut-down of production units or maintenance during periods of production downtime. This condition is not satisfied if adequate backup equipment could have been feasibly installed in the exercise of reasonable engineering judgment to prevent a Bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
  - 3. The Permittee submitted notices as required under Section 501.4(A).
- B. If a Permittee knows in advance of the need for a Bypass, it shall submit a written request to allow the Bypass to OCSD, if possible, at least ten (10) days before the date of the Bypass.
- C. OCSD may approve an anticipated Bypass at its sole discretion after considering its adverse effects, and OCSD determines that the conditions listed in Section 501.5(A)(1-3) are met.
- D. A Permittee shall provide telephone notification to OCSD of an unanticipated Bypass that exceeds its permitted discharge limits within four hours from the time the Permittee becomes aware of the Bypass. A written report shall also be provided within five (5) days of the time the Permittee becomes aware or could reasonably have been aware of the Bypass. The report shall contain a description of the Bypass and its cause; the duration of the Bypass, including exact dates and times, and, if the Bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the Bypass. Failure to comply with the oral notice or written report may be grounds for permit revocation.

## ARTICLE 6. ENFORCEMENT

### 601. PURPOSE AND SCOPE

- A. The Board finds that in order for OCSD to comply with the laws, regulations, and rules imposed upon it by Regulatory Agencies and to ensure that OCSD's Sewerage Facilities and treatment processes are protected and are able to operate with the highest degree of efficiency, and to protect the public health and environment, specific enforcement provisions must be adopted to govern the discharges to OCSD's Sewerage System by Permittees or by facilities required to obtain Zero Discharge Certifications. Certain violations may result in civil or criminal penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable federal deadlines.
  
- B. To ensure that all interested parties are afforded due process of law and that non-compliance and violations are resolved as soon as possible, the general policy of OCSD is that:
  - 1. Any determination relating to a Zero Discharge Certification, Probation Order, Enforcement Compliance Schedule Agreement (ECSA), or Regulatory Compliance Schedule Agreement (RCSA) will be made by the Division Head of the OCSD Pretreatment Program, with a right of appeal by the Permittee to the General Manager pursuant to the procedures set forth in Section 618.
  - 2. Any permit suspension or revocation recommended by the Division Head responsible for the OCSD Pretreatment Program will be heard and a recommendation made to the General Manager by an OCSD Department Head or other person designated by the General Manager.
  - 3. Actions and decisions by the Division Head or Department Head are made pursuant to a delegation of authority by the General Manager as authorized by Section 107 of this Ordinance.
  - 4. The Board of Directors may adopt rules of procedure to establish the conduct of certain administrative proceedings.
  
- C. OCSD, at its discretion, may utilize any one, combination, or all enforcement remedies provided in this Article 6 in response to any permit or Ordinance violation.

602. DETERMINATION OF NON-COMPLIANCE WITH DISCHARGE LIMITS

A. Sampling Procedures

1. Sampling of all Permittees' facilities, Wastewater and discharges shall be conducted in the time, place, manner, and frequency determined at the sole discretion of OCSD.
2. Non-compliance with Mass Emission Rate limits, concentration limits, permit discharge conditions, or any discharge provision of this Ordinance may be determined by an analysis of a grab or composite sample of the effluent of a User. Non-compliance with Mass Emission Rate limits shall be determined by an analysis of a composite sample of the User's effluent, except that a grab sample may be used to determine compliance with Mass Emission Rate limits when the discharge is from a closed (batch) treatment system in which there is no Wastewater flow into the system when the discharge is occurring, the volume of Wastewater contained in the batch system is known, the time interval of discharge is known, and the grab sample is homogeneous and representative of the discharge.
3. All Wastewater samples must be representative of the User's discharge. Any sample taken from a sample point is considered to be representative of the discharge to the public sewer.
4. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
5. If a User subject to the reporting requirement in this section monitors any regulated Pollutant at the appropriate sampling location more frequently than required by the General Manager, using the procedures prescribed in this Ordinance, the results of this monitoring shall be included in the report.

603. ENFORCEMENT PROCEDURES AND APPLICABLE FEES

A. Self-Monitoring Requirements as a Result of Non-Compliance

1. If analysis of any sample obtained by OCSD or by a Permittee shows non-compliance with the applicable Wastewater discharge limits set forth in this Ordinance or in the Permittee's discharge permit, OCSD may impose self-monitoring requirements on the Permittee.

2. A Permittee shall perform required self-monitoring of constituents in a frequency, at the specific location, and in a manner directed by OCSD.
3. All analyses of self-monitoring samples shall be performed by an independent laboratory acceptable to OCSD and submitted to OCSD in the form and frequency determined by OCSD.
4. All self-monitoring costs shall be borne by the Permittee.
5. Nothing in this section shall be deemed to limit the authority of OCSD to impose self-monitoring as a permit condition.

B. Purpose of Non-Compliance Resampling Fees

The purpose of the non-compliance resampling fee is to compensate OCSD for costs of additional sampling, monitoring, laboratory analysis, treatment, disposal, and administrative processing incurred as a result of the non-compliance, and shall be in addition to and not in lieu of any penalties as may be assessed pursuant to Sections 616 and 617.

C. Non-Compliance Resampling Fees for Composite Samples

1. Each violation of a Permittee's permit limit or condition is a violation of this Ordinance.
  - a) If analysis of any composite sample of a Permittee's discharge obtained by OCSD shows a major violation by the Permittee of the Mass Emission Rates or concentration limits specified in the Permittee's discharge permit or in this Ordinance, then the Permittee shall pay non-compliance resampling fees to OCSD pursuant to fee schedules adopted by OCSD's Board of Directors.
  - b) If analysis of any composite sample of a Permittee's discharge obtained by OCSD shows a minor violation by the Permittee of the Mass Emission Rates or concentration limits specified in the Permittee's discharge permit or in this Ordinance, then OCSD shall impose non-compliance resampling fees pursuant to fee schedules adopted by OCSD's Board of Directors.
2. The fees specified in subsection 603.C.1.a), C.1.b) and D herein shall be imposed for each date on which OCSD conducts sampling as a result of a violation by a Permittee.

D. Non-Compliance Resampling Fees for Grab Samples and Self-Monitoring Results

1. If analysis of any grab sample of a Permittee's discharge shows non-compliance with any concentration limits as set forth in the User's permit or in this Ordinance, OCSD may impose non-compliance resampling fees, pursuant to fee schedules adopted by the OCSD Board of Directors, for resampling conducted by OCSD as a result of a violation by the Permittee.
2. If any self-monitoring analysis of a Permittee's discharge shows non-compliance with any concentration limits or Mass Emission Rates as set forth in the User's permit or in this Ordinance, OCSD may impose non-compliance resampling fees, pursuant to fee schedules adopted by the OCSD Board of Directors, for sampling conducted by OCSD as a result of a violation by the Permittee.

603.1 Probation Order

A. Grounds

In the event the Division Head determines that a Permittee has violated any provision of this Ordinance, or the terms, conditions and limits of its discharge permit, or has not made payment of all amounts owed to OCSD for User charges, non-compliance resampling fees or any other fees, the General Manager may issue a Probation Order, whereby the Permittee must comply with all directives, conditions and requirements therein within the time prescribed.

B. Provisions

The issuance of a Probation Order may contain terms and conditions including, but not limited to, installation of Pretreatment equipment and facilities, requirements for self-monitoring, submittal of drawings or technical reports, operator certification, audit of Waste minimization practices, payment of fees, limits on rate and time of discharge, or other provisions to ensure compliance with this Ordinance.

C. Probation Order - Expiration

A Probation Order issued by the General Manager shall be in effect for a period not to exceed ninety (90) days.

603.2 Enforcement Compliance Schedule Agreement (ECSA)

A. Grounds

Upon determination that a Permittee is in non-compliance with the terms, conditions or limits specified in its permit or any provision of this Ordinance, and needs to construct and/or acquire and install equipment related to Pretreatment, the General Manager may require the Permittee to enter into an ECSA which will, upon the effective date of the ECSA, amend the Permittee's permit. The ECSA shall contain terms and conditions by which a Permittee must operate during its term and shall provide specific dates for achieving compliance with each term and condition for construction and/or acquisition and installation of required equipment related to Pretreatment.

B. Provisions

The issuance of an ECSA may contain terms and conditions including but not limited to requirements for self-monitoring, installation of Pretreatment equipment and facilities, submittal of drawings or reports, operator certification, audit of Waste minimization practices, payment of fees, limits on rate and time of discharge, deposit of performance guarantee, interim limits, or other provisions to ensure compliance with this Ordinance.

C. ECSA - Payment of Amounts Owed

OCSD shall not enter into an ECSA until such time as all amounts owed to OCSD, including User fees, non-compliance resampling fees, deposits, or other amounts due are paid in full, or an agreement for deferred payment secured by collateral or a third party, is approved by the General Manager. Failure to pay all amounts owed to OCSD shall be grounds for permit suspension or permit revocation as set forth in Section 605 and 606.

D. ECSA - Permit Suspension/Revocation

If compliance is not achieved in accordance with the terms and conditions of an ECSA during its term, the General Manager may issue an order suspending or revoking the discharge permit pursuant to Section 605 or 606 of this Ordinance.

604. REGULATORY COMPLIANCE SCHEDULE AGREEMENT (RCSA)

A. Grounds

If at any time subsequent to the issuance of a Wastewater Discharge Permit to an Industrial User, Federal Categorical Pretreatment Standards are adopted or revised by the United States Environmental Protection Agency,



or in the event OCSD enacts revised or new discharge limits, the General Manager, upon determination that an Industrial User would not be in compliance with the adopted revised or new limits, may require the industrial User to enter into a RCSA with OCSD under terms and conditions that would provide for achieving compliance with all new standards by the industrial User on a specific date. The RCSA shall have a maximum term of two hundred-seventy (270) days. The General Manager may approve a longer term, upon a showing of good cause.

B. Provisions

The issuance of a RCSA may contain terms and conditions including but not limited to requirements for installation of Pretreatment equipment and facilities, submittal of drawings or reports, waste minimization practices or other provisions to ensure compliance with this Ordinance.

C. RCSA - Non-Compliance Resampling Fee

During the period a RCSA is in effect, any discharge by Permittee in violation of the RCSA will require payment of non-compliance resampling fees in accordance with this Article 6.

605. PERMIT SUSPENSION

A. Grounds

The General Manager may suspend any permit when it is determined that a Permittee:

1. Fails to comply with the terms and conditions of either an ECSA or RCSA.
2. Knowingly provides a false statement, representation, record, report, or other document to OCSD.
3. Refuses to provide records, reports, plans, or other documents required by OCSD to determine permit terms, conditions, or limits, discharge compliance, or compliance with this Ordinance.
4. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
5. Fails to report significant changes in operations or Wastewater constituents and characteristics.
6. Violates a Probation Order.

7. Refuses reasonable access to the Permittee's premises for the purpose of inspection and monitoring.
8. Does not make timely payment of all amounts owed to OCSD for User charges, non-compliance sampling fees, permit fees, or any other fees imposed pursuant to this Ordinance.
9. Violates any condition or limit of its discharge permit or any provision of OCSD's Ordinances or regulations.

B. Notice

When the General Manager has reason to believe that grounds exist for permit suspension, he/she shall give written notice thereof via personal delivery, mail with proof of delivery, or a similar method to the permittee setting forth a statement of the facts and grounds deemed to exist.

C. Suspension Effective Immediately

Any discharger notified of a permit suspension shall immediately cease and desist all direct and indirect discharges to the OCSD's sewerage system. In the event the discharger fails to voluntarily comply with the suspension order, the General Manager may take such steps as are reasonably necessary to prevent further discharges, including blocking or severing the discharger's connection to the sewer system.

D. Suspension Hearing

Any discharger whose permit is suspended may file a written request for a suspension hearing pursuant to this section. Such a request will not stay the suspension.

In the event a hearing is requested, the General Manager or his/her designee shall, within fourteen (14) days after receiving the request, hold a hearing to determine whether the permit suspension should be confirmed or terminated.

1. At the suspension hearing, the Permittee shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by OCSD's General Counsel.
2. The General Manager or the General Manager's designee shall render a decision on the suspension within seventy-two (72) hours following the conclusion of the suspension hearing. In the event the

General Manager or his/her designee fails to make a decision within seventy-two (72) hours, the suspension shall be stayed pending the decision.

3. The decision shall be made in writing and include a brief statement of facts found to be true and a determination of the issues presented, including a final decision and order regarding whether the suspension is upheld or terminated.
4. The written decision and order of the General Manager or his/her designee shall be sent via personal delivery, mail with proof of delivery, or a similar method to the Permittee or its legal counsel/representative at the Permittee's business address.

E. Effect of Suspension Order

1. Upon issuance, an order of permit suspension issued by the General Manager shall be final in all respects.
2. The permittee shall immediately cease and desist its discharge of any Wastewater, directly or indirectly to OCSD's Sewerage System for the duration of the suspension. All costs for physically terminating and reinstating service shall be paid by the Permittee.
3. Any owner and responsible management employee of the Permittee shall be bound by the order of suspension.

F. Reinstatement or Revocation

1. The General Manager shall reinstate the suspended permit upon proof of satisfactory compliance with all discharge requirements of OCSD, including all additional permit requirements deemed necessary by the General Manager or his or her designee to prevent future violations by the permittee
2. The General Manager may, in his or her sole discretion, seek to permanently revoke any suspended permit pursuant to the procedures outlined in Section 606 of this Ordinance.

606. PERMIT REVOCATION

A. Grounds

The General Manager may revoke any permit when it is determined that a Permittee:

1. Knowingly provides a false statement, representation, record, report, or other document to OCSD.
2. Refuses to provide records, reports, plans, or other documents required by OCSD to determine permit terms, conditions, or limits, discharge compliance, or compliance with this Ordinance.
3. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
4. Fails to report significant changes in operations or Wastewater constituents and characteristics.
5. Fails to comply with the terms and conditions of an ECSA, permit suspension, or probation order.
6. Discharges effluent to OCSD's Sewerage System while its permit is suspended.
7. Refuses reasonable access to the Permittee's premises for the purpose of inspection and monitoring.
8. Does not make timely payment of all amounts owed to OCSD for User charges, non-compliance resampling fees, permit fees, or any other fees imposed pursuant to this Ordinance.
9. Causes interference with OCSD's collection, treatment, or disposal system.
10. Fails to submit oral notice or written report of a Bypass occurrence.
11. Violates any condition or limit of its discharge permit or any provision of OCSD's Ordinances or regulations.

B. Notice/Hearing

When the General Manager has reason to believe that grounds exist for the revocation of a permit, he/she shall give written notice via personal delivery, mail with proof of delivery, or a similar method thereof to the Permittee setting forth a statement of the facts and grounds deemed to exist together with the time and place where the charges shall be heard by the General Manager's designee. The hearing date shall be not less than fifteen (15) calendar days nor more than forty-five (45) calendar days after the mailing of such notice.

1. At the hearing, the Permittee shall have an opportunity to respond to

the allegations set forth in the notice by presenting written or oral evidence. The revocation hearing shall be conducted in accordance with the procedures established by the General Manager and approved by OCSD's General Counsel.

2. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager within thirty (30) calendar days setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
3. The General Manager shall make his/her determination and should he/she find that grounds exist for permanent revocation of the permit, he/she shall issue his/her decision and order in writing within twenty (20) calendar days of receiving the written report. The written decision and order of the General Manager shall be sent via personal delivery, mail with proof of delivery, or a similar method to the Permittee or its legal counsel/representative at the Permittee's business address.
4. In the event the General Manager determines to not revoke the permit, he/she may order other enforcement actions, including, but not limited to, a temporary suspension of the permit, under terms and conditions that he/she deems appropriate.

C. Effect

1. Upon issuance, an order of permit revocation issued by the General Manager shall be final in all respects.
2. The Permittee shall immediately cease and desist its discharge of any Wastewater directly or indirectly to OCSD's Sewerage System. All costs for physical termination shall be paid by the Permittee.
3. Any owner or Authorized Representative of the Permittee shall be bound by the order of revocation.
4. Any future application for a permit at any location within OCSD by any Person subject to an order of revocation will be considered by OCSD after fully reviewing the records of the revoked permit, which records may be the basis for denial of a new permit.

607. WASTEHAULER NON-COMPLIANCE WITH PERMIT CONDITIONS

A Wastehauler's non-compliance with permit requirements shall be determined by an analysis of a sample of the discharge for any constituent or conditions specified in the

Wastehauler's discharge permit or this Ordinance. If the discharge of a Wastehauler is found by the analysis to be in excess of the concentration limits specified in the Wastehauler's discharge permit or in this Ordinance, the Wastehauler shall, after receiving a demand from OCSD, identify in writing, all sources of the discharge.

OCSD reserves the right to sample and inspect any Wastehauler that delivers Wastewater to any facility which is tributary to OCSD's Sewerage Facilities.

Even if it is established to the satisfaction of the General Manager that the origin of the discharge is domestic septage, or septic Waste, OCSD may still elect not to accept Wastewater from that particular source.

If the discharge is Industrial Wastewater from an industrial source(s) and exceeds permit concentration limits or limits specified in this Ordinance, the following shall apply:

A. First Violation

1. The Permittee shall pay a non-compliance processing or sampling fee pursuant to fee schedules adopted by the OCSD Board of Directors.
2. The Wastehauler permit for disposal privileges shall be suspended for five (5) days.

B. Second Violation

1. The Permittee shall pay a non-compliance processing or sampling fee pursuant to fee schedules adopted by the OCSD Board of Directors.
2. The Wastehauler permit for disposal privileges shall be suspended for ten (10) days.
3. The Wastehauler permit may be revoked in accordance with Section 606.

608. DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL OPERATIONS

- A. Any User who discharges any Wastewater which causes or contributes to any obstruction, interference, damage, or any other impairment to OCSD's Sewerage Facilities or to the operation of those facilities shall be liable for all costs required to clean or repair the facilities together with expenses incurred by OCSD to resume normal operations. Such discharge shall be grounds for permit revocation. A service charge of twenty five percent (25%) of OCSD costs shall be added to the costs and charges to reimburse OCSD for miscellaneous overhead, including administrative personnel and

record keeping. The total amount shall be payable within forty-five (45) days of invoicing by OCSD.

- B. Any User who discharges a Wastewater which causes or contributes to OCSD violating its discharge requirements established by any Regulatory Agency incurring additional expenses or suffering losses or damage to the facilities, shall be liable for any costs or expenses incurred by OCSD, including regulatory fines, penalties, and assessments made by other agencies or a court.

#### 609. INDUSTRIAL WASTEWATER PASS THROUGH

Any User whose discharge results in a Pass Through event affecting OCSD or its Sewerage Facilities shall be liable for all costs associated with the event, including treatment costs, regulatory fines, penalties, assessments, and other indirect costs. The Discharger shall submit to OCSD plans to prevent future recurrences to the satisfaction of OCSD.

#### 610. PUBLICATION OF VIOLATION

Upon a determination in a permit suspension, permit revocation, or civil penalty proceedings that a User has discharged in violation of its permit or any provision under this Ordinance, OCSD may require that the User notify the public and/or other Users of the OCSD's Sewerage Facilities of such violation, of actions taken to correct such violation, and of any administrative or judicial orders or penalties imposed as a result of such violation.

#### 611. PUBLISHED NOTICES FOR SIGNIFICANT NON-COMPLIANCE

In accordance with Federal Regulations, including 40 CFR 25 and 40 CFR 403.8(f), OCSD shall annually cause to be published the names of all Industrial Users in significant non-compliance. Upon a minimum of a thirty (30) day notification to the User, said publication shall be made in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by OCSD.

#### 612. PUBLIC NUISANCE

Discharge of Wastewater in any manner in violation of this Ordinance or of any order issued by the General Manager, as authorized by this Ordinance, is hereby declared a public nuisance and shall be corrected or abated as directed by the General Manager. Any Person creating a public nuisance is guilty of a misdemeanor.

#### 613. TERMINATION OF SERVICE

- A. OCSD, by order of the General Manager, may physically terminate sewerage service to any property as follows:

1. On a term of any order of emergency suspension or revocation of a permit; or
  2. Upon the failure of a Person not holding a valid discharge permit to immediately cease discharge, whether direct or indirect, to OCSD's Sewerage Facilities; or
  3. Upon the failure of a facility not holding a valid discharge permit or certification.
- B. All costs for physical termination shall be paid by the User as well as all costs for reinstating service.

614. EMERGENCY SUSPENSION ORDER

- A. OCSD may, by order of the General Manager, suspend sewerage service or Wastehauler discharge service when the General Manager determines that such suspension is necessary in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, or to the environment, or may cause interference to the OCSD's Sewerage Facilities, or may cause OCSD to violate any state or federal law or regulation. Any Discharger notified of and subject to an Emergency Suspension Order shall immediately cease and desist the discharge of all Industrial Wastewater to the Sewerage System.
- B. As soon as reasonably practicable following the issuance of an Emergency Suspension Order, but in no event more than five (5) days following the issuance of such order, the General Manager shall hold a hearing to provide the User the opportunity to present information in opposition to the issuance of the Emergency Suspension Order. Such a hearing shall not stay the effect of the Emergency Suspension Order. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the OCSD General Counsel. The General Manager shall issue a written decision and order within two (2) business days following the hearing, which decision shall be sent via personal delivery, mail with proof of delivery, or a similar method to the User or its legal counsel/representative at that User's business address. The decision of the General Manager following the hearing shall be final in all respects.

615. INJUNCTION

Whenever a Discharger of Wastewater is in violation of or has the reasonable potential to violate any provision of this Ordinance, permit condition, or any Federal Categorical Pretreatment Standards or Pretreatment Requirements as set forth in 40 CFR Section



403.8, et seq., fails to submit required reports, or refuses to allow OCSD entry to inspect or monitor the User's discharge, OCSD may petition the Superior Court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate to restrain the continued violation or to prevent threatened violations by the Discharger.

## 616. CIVIL PENALTIES

### A. Authority

All Users of OCSD's Sewerage System and facilities are subject to enforcement actions administratively or judicially by OCSD, U.S. EPA, State of California Regional Water Quality Control Board, or the County of Orange District Attorney. Said actions may be taken pursuant to the authority and provisions of several laws, including but not limited to: (1) Federal Water Pollution Control Act, commonly known as the Clean Water Act (33 U.S.C. Section 1251, et seq.); (2) California Porter-Cologne Water Quality Control Act (California Water Code Section 13000, et seq.); (3) California Hazardous Waste Control Law (California Health & Safety Code Sections 25100, et seq.); (4) Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901, et seq.); and (5) California Government Code Sections 54739-54740.

### B. Recovery of Fines or Penalties

In the event OCSD is subject to the payment of fines or penalties pursuant to the legal authority and actions of other Regulatory Agencies or enforcement agencies based on a violation of law or regulation or its permits, and said violation can be established by OCSD, as caused by the discharge of any User of OCSD's Sewerage System which is in violation of any provision of this Ordinance or the User's permit, OCSD shall be entitled to recover from the User all costs and expenses, including, but not limited to, the full amount of said fines or penalties to which OCSD has been subjected.

### C. Ordinance

Pursuant to the authority of California Government Code Sections 54739 - 54740.6, any Person who violates any provision of this Ordinance; any permit condition, prohibition or effluent limit; or any suspension or revocation order shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. Pursuant to the authority of the Clean Water Act, 33 U.S.C. Section 1251, et seq., any Person who violates any provision of this Ordinance, or any permit condition, prohibition, or effluent limit shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. The General Counsel of OCSD, upon order of the General Manager, shall

petition the Superior Court to impose, assess, and recover such penalties, or such other penalties as OCSD may impose, assess, and recover pursuant to federal and/or state legislative authorization.

D. Administrative Civil Penalties

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, OCSD may issue an administrative complaint to any Person who violates:
  - a) any provision of this Ordinance;
  - b) any permit condition, prohibition, or effluent limit, or certification requirement; or
  - c) any suspension or revocation order.
2. The administrative complaint shall be served via personal delivery, mail with proof of delivery, or a similar method on the Person and shall inform the Person that a hearing will be conducted, and shall specify a hearing date within sixty (60) days. The administrative complaint will allege the act or failure to act that constitutes the violation of OCSD requirements, the provisions of law authorizing civil liability to be imposed, and the proposed civil penalty. The matter shall be heard by the General Manager's designee. The Person to whom an administrative complaint has been issued may waive the right to a hearing, in which case a hearing will not be conducted.
3. At the hearing, the Person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by OCSD's General Counsel.
4. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager within thirty (30) calendar days setting forth a brief statement of the facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
5. The General Manager shall make his/her determination and should he/she find that grounds exist for assessment of a civil penalty against the Person, he/she shall issue his/her decision and order in writing within twenty (20) calendar days of receiving the written report.

6. If, after the hearing or appeal, if any, it is found that the Person has violated reporting or discharge requirements, the General Manager may assess a civil penalty against that Person. In determining the amount of the civil penalty, the General Manager may take into consideration all relevant circumstances, including but not limited to the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violation, the length of time over which the violation occurs, and corrective action, if any, attempted or taken by the Person involved.
7. Civil penalties may be assessed as follows:
  - a) In an amount which shall not exceed two thousand dollars (\$2,000.00) for each day for failing or refusing to furnish technical, monitoring reports, or any other required documents;
  - b) In an amount which shall not exceed three thousand dollars (\$3,000.00) for each day for failing or refusing to timely comply with any compliance schedules established by OCSD;
  - c) In an amount which shall not exceed five thousand dollars (\$5,000.00) per violation for each day of discharge in violation of any Wastewater discharge limit, permit condition, or requirement issued, reissued, or adopted by OCSD;
  - d) In any amount which does not exceed ten dollars (\$10.00) per gallon for discharges in violation of any suspension, revocation, cease and desist order or other orders, or prohibition issued, reissued, or adopted by OCSD;
8. Any Person aggrieved by an order issued by the General Manager assessing administrative civil penalties may, within fifteen (15) days after the General Manager issues the order, file an appeal with the Governing Board. The evidence on appeal shall consist solely of the General Manager's order and the administrative record before the hearing officer. The Governing Board shall determine whether to uphold, modify, or reverse the General Manager's order. The decision of the Governing Board shall be set forth in writing and be sent by certified mail to the appellant. The decision of the Governing Board shall be final in all respects. If no appeal of the General Manager's decision is filed within fifteen (15) days of its issuance, the General Manager's order becomes final in all respects.

9. Copies of the administrative order shall be served on the party served with the administrative complaint, either by personal service or by registered mail to the Person at his business or residence address, and upon other persons who appeared at the hearing and requested a copy of the order.
10. Any Person aggrieved by a final decision issued by the Governing Board, may obtain review in the superior court, pursuant to Government Code Section 54740.6, by filing in the court a petition for writ of mandate within thirty (30) days following the service of a copy of the Governing Board decision.
11. Payment of any order setting administrative civil penalties shall be made within thirty (30) days of the date the order becomes final. The amount of any administrative civil penalties imposed which have remained delinquent for a period of sixty (60) days shall constitute a lien against the real property of the Discharger from which the discharge resulting in the imposition of the civil penalty originated. The lien shall have no effect until recorded with the county recorder. OCSD may record the lien for any unpaid administrative civil penalties on the ninety-first (91st) day following the date the order becomes final.
12. No administrative civil penalties shall be recoverable under Section 616.D for any violation for which OCSD has recovered civil penalties through a judicial proceeding filed pursuant to Government Code Section 54740.

#### 617. CRIMINAL PENALTIES

Any Person who violates any provision of this Ordinance is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed \$1,000.00, or imprisonment for not more than thirty (30) days, or both. Each violation and each day in which a violation occurs may constitute a new and separate violation of this Ordinance and shall be subject to the penalties contained herein.

#### 618. APPEALS TO GENERAL MANAGER

##### A. General

Any User, permit applicant, or Permittee affected by any decision, action or determination made by the Division Head may file with the General Manager a written request for an appeal hearing. The request must be received by OCSD within fifteen (15) days of mailing of notice of the decision, action, or determination of OCSD to the appellant. The request for hearing shall set forth in detail all facts supporting the appellant's

request. Filing of an appeal shall stay the proceedings and furtherance of the action being appealed

B. Notice

The General Manager shall, within fifteen (15) days of receiving the request for appeal, and pursuant to Section 107, designate a Department Head or other person to hear the appeal and provide written notice to the appellant of the hearing date, time and place via personal delivery, mail with proof of delivery, or a similar method. The hearing date shall not be more than thirty (30) days from the delivery date of such notice to the appellant unless a later date is agreed to by the appellant. If the hearing is not held within said time due to actions or inactions of the appellant, then the staff decision shall be deemed final.

C. Hearing

At the hearing, the appellant shall have the opportunity to present information supporting its position concerning the Division Head's decision, action or determination. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by OCSD's General Counsel.

D. Written Determination

After the conclusion of the hearing, the Department Head (or other designee) shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation whether to uphold, modify or reverse the Division Head's original decision, action or determination. The General Manager shall make his/her determination and shall issue his/her decision and order within thirty (30) calendar days of receiving the written report by the Department Head (or other designee). Upon issuance, the order of the General Manager shall be final in all respects. The written decision and order of the General Manager shall be sent via personal delivery, mail with proof of delivery, or a similar method to the appellant or its legal counsel/representative at the appellant's business address.

619. PAYMENT OF CHARGES

- A. Except as otherwise provided, all fees, charges and penalties established by this Ordinance are due and payable upon receipt of notice thereof. All such amounts are delinquent if unpaid forty-five (45) days after date of invoice.

- B. Any charge that becomes delinquent shall have added to it a penalty in accordance with the following:
  - 1. Forty-six (46) days after date of invoice, a basic penalty of ten percent (10%) of the base invoice amount, not to exceed a maximum of \$1,000.00; and
  - 2. A penalty of one and one-half percent (1.5%) per month of the base invoice amount and basic penalty shall accrue from and after the forty-sixth (46th) day after date of invoice.
- C. Any invoice outstanding and unpaid after ninety (90) days shall be cause for immediate suspension of the permit.
- D. Penalties charged under this Section shall not accrue to those invoices successfully appealed.
- E. Payment of disputed charges is still required by the due date during OCSD review of any appeal submitted by Permittees.

#### 620. COLLECTION OF DELINQUENT ACCOUNTS

Collection of delinquent accounts shall be in accordance with OCSD's policy resolution establishing procedures for collection of delinquent obligations owed to OCSD, as amended from time to time by the Board of Directors. Any such action for collection may include an application for an injunction to prevent repeated and recurring violations of this Ordinance.

#### 621. APPEAL OF CHARGES AND FEES

Except for non-compliance charges and penalties, any User, permit applicant, or Permittee affected by any decision, action, or determination by OCSD, relating to fiscal issues of OCSD in which the User, applicant, or Permittee is located, including but not limited to the imposition and collection of fees, such as capital facility capacity charges, sewer use charges, special purpose discharge use charges and Wastehauler fees, may request that OCSD reconsider imposition of such fees or charges. Following review of such a request, OCSD shall notify the User, permit applicant, or Permittee via personal delivery mail with proof of delivery, or a similar method of OCSD's decision on the reconsideration request. Any User, permit applicant, or Permittee adversely affected by OCSD's decision on the reconsideration request may file an appeal which shall be heard by the Board of Directors. The notice of appeal must be received by OCSD within thirty (30) days of the mailing of OCSD's decision on the reconsideration request.

#### 622. RECOVERY OF COSTS INCURRED BY OCSD

In the event any User, permit applicant, or permittee fails to comply with any of the terms

and conditions of this Ordinance, a probationary order, an order of permit suspension or revocation, an ECSA, a RCSA, a certification, or a permit issued hereunder, OCSD shall be entitled to reasonable attorney's fees and costs which may be incurred in order to enforce any of said terms and conditions, with or without filing proceedings in court.

623. FINANCIAL SECURITY/AMENDMENTS TO PERMIT

A. Compliance Deposit

Permittees that have been subject to enforcement and/or collection proceedings may be required to deposit with OCSD an amount determined by the General Manager as necessary to guarantee payment to OCSD of all charges, fees, penalties, costs and expenses that may be incurred in the future, before permission is granted for further discharge to the sewer.

B. Delinquent Accounts

OCSD may require an amendment to the permit of any Permittee who fails to make payment in full of all fees and charges assessed by OCSD, including reconciliation amounts, delinquency penalties, and other costs or fees incurred by Permittee.

C. Bankruptcy

Every Permittee filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy Court, for purposes of discharging its financial debts or obligations or seeking court ordered, protection from its creditors, shall, within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its permit.

D. Permit Amendments

OCSD shall review and examine Permittee's account to determine whether previously incurred fees and charges have been paid in accordance with time requirements prescribed by this Ordinance. OCSD may thereafter issue an amendment to the User's permit in accordance with the provisions of Article 3 and subsection E below.

E. Security

An amendment to a Wastewater discharge permit issued pursuant to subdivisions (B), (C) and (D) above, may be conditioned upon the Permittee depositing financial security in an amount equal to the average total fees and charges for two (2) calendar quarters during the preceding year. Said deposit shall be used to guarantee payment of all fees and charges incurred for future services and facilities furnished by OCSD and shall not be used

by OCSD to recover outstanding fees and charges incurred prior to the Permittee filing and receiving protection from creditors in the United States Bankruptcy Court.

F. Return of Security

In the event the Permittee makes payment in full within the time prescribed by this Ordinance of all fees and charges incurred over a period of two (2) years following the issuance of an amendment to the permit pursuant to subdivisions (B), (C) and (D), OCSD shall either return the security deposit posted by the Permittee or credit their account.

624. JUDICIAL REVIEW

A. Purpose and Effect

Pursuant to Section 1094.6 of the California Code of Civil Procedure, OCSD hereby enacts this part to limit to ninety (90) days following final decisions in adjudicatory administrative hearings the time within which an action can be brought to review such decisions by means of administrative mandamus.

B. Definitions

As used in this Section, the following terms and words shall have the following meanings:

1. Decision shall mean and include adjudicatory administrative decisions that are made after hearing, or after revoking, suspending, or denying an application for a permit.
2. Complete Record shall mean and include the transcript, if any exists, of the proceedings, all pleadings, all notices and orders, any proposed decision by the General Manager, the final decision, all admitted exhibits, all rejected exhibits in the possession of OCSD or its offices or agents, all written evidence, and any other papers in the case.
3. Party shall mean a Person whose permit has been denied, suspended, or revoked.

C. Time Limit for Judicial Review

Judicial review of any decision of OCSD or its officer or agent may be made pursuant to Section 1094.5 of the Code of Civil Procedure only if the petition for writ of mandate is filed not later than the ninetieth (90th) day following the date on which the decision becomes final. If there is no provision for



reconsideration in the procedures governing the proceedings or if the date is not otherwise specified, the decision is final on the date it is made. If there is provision for reconsideration, the decision is final upon the expiration of the period during which such reconsideration can be sought; provided that if reconsideration is sought pursuant to such provision the decision is final for the purposes of this Section on the date that reconsideration is rejected.

D. Preparation of the Record

The complete record of the proceedings shall be prepared by the OCSD officer or agent who made the decision and shall be delivered to the petitioner within ninety (90) days after he/she has filed written request therefor. OCSD may recover from the petitioner its actual costs for transcribing or otherwise preparing the record.

E. Extension

If the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition, pursuant to Section 1094.5 of the Code of Civil Procedure, may be filed shall be extended to not later than the thirtieth (30th) day following the date on which the record is either personally delivered or mailed to the petitioner or the petitioner's attorney of record.

F. Notice

In making a final decision, OCSD shall provide notice to the party that the time within which judicial review must be sought is governed by Section 1094.6 of the Code of Civil Procedure.

G. Administrative Civil Penalties

Notwithstanding the provisions in this Section, and pursuant to Government Code Section 54740.6, judicial review of an order of the General Manager imposing administrative civil penalties pursuant to Section 616.D may be made only if the petition for writ of mandate is filed not later than the thirtieth (30th) day following the day on which the order of the General Manager becomes final.

ARTICLE 7. SEWER SERVICE CHARGES – CAPITAL FACILITY CAPACITY CHARGES

701. SANITARY SEWER SERVICE CHARGE

Every parcel of real property located within OCSD which is improved with structures designed for residential, commercial, or industrial use, and connected to the OCSD's Sewerage System, shall pay a sanitary sewer service charge in an amount adopted by the Board of Directors by separate Ordinance.

702. CAPITAL FACILITIES CAPACITY CHARGE

Every parcel of real property located within OCSD which is improved with structures designed for residential, commercial, or industrial use, and connected to the OCSD's Sewerage System, shall pay a capital facilities capacity charge in an amount adopted by the Board of Directors by separate Ordinance.

## ARTICLE 8. SEVERABILITY

### 801. SEVERABILITY

If any provision of these Regulations or the application to any circumstances is held invalid, the remainder of the regulations or the application of such provision to other persons or other circumstances shall not be affected.

### 802. GENERAL APPLICATION

The provisions of this Ordinance shall apply to all properties within OCSD including those properties otherwise deemed exempt from payment of taxes or assessments by provisions of the state Constitution or statute, including properties owned by other public agencies or tax-exempt organizations.

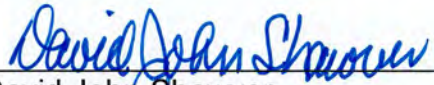
Section I: This Ordinance is enacted in order to preserve the public health and safety, and in order to continue the provision of sewer services by OCSD. The facts requiring the public health and safety to be preserved are that the regulation of the discharge of industrial and sanitary Sewage is regulated by federal and state law, and protection of individuals' health and the environment require that no discharges of untreated Sewage/Wastewater are allowed to occur that are not in accord with technical specifications and requirements.

Section II: Effective Date. This Ordinance shall take effect July 1, 2019.

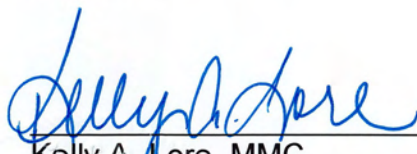
Section III: Repeal. Ordinance No. OCSD-48 is hereby repealed.

Section IV: The Clerk of the Board shall certify to the adoption of this Ordinance and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by the Board of Directors of the Orange County Sanitation District at a Regular Meeting held the 22nd day of May, 2019.

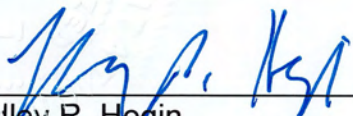
  
\_\_\_\_\_  
David John Shawver  
Chair, Board of Directors  
Orange County Sanitation District

ATTEST:



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Kelly A. Lore, MMC  
Clerk of the Board  
Orange County Sanitation District



---

Bradley R. Hogin  
General Counsel

STATE OF CALIFORNIA )  
 )SS.  
COUNTY OF ORANGE )

I, Kelly A. Lore, Clerk of the Board of Directors of Orange County Sanitation District, do hereby certify that the above and foregoing Ordinance No. OCSD-48 was introduced for first reading at a regular meeting of said Board on the 24th day of April 2019, and passed and adopted at a regular meeting of said Board on the 22nd day of May 2019, by the following vote, to wit:

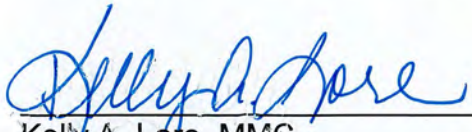
**AYES:** Avery; Beamish (Alternate); Bernstein; Chaffee; Collacott; Harper (Alternate); Hawkins; Iglesias; Kim; Kring; Massa-Lavitt; R. Murphy; Nguyen; Nichols (Alternate); O'Neill (Alternate); Ooten (Alternate); Parker; Peterson; Shawver; Shea; Silva; F. Smith; Wanke; Withers and Yarc

**NOES:** None

**ABSTENTIONS:** None

**ABSENT:** None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 22nd day of May, 2019.

  
\_\_\_\_\_  
Kelly A. Lore, MMC  
Clerk of the Board  
Orange County Sanitation District

## **Appendix C**

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Establishing Fats, Oils, and Grease Control Program  
Fees Applicable to Food Service Establishments  
Resolution No. OCSD 05-04

RESOLUTION NO. OCSD 05-04

ESTABLISHING FATS, OIL, AND GREASE CONTROL  
PROGRAM FEES APPLICABLE TO FOOD SERVICE  
ESTABLISHMENTS

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE ORANGE COUNTY SANITATION DISTRICT,  
ESTABLISHING FATS, OIL, AND GREASE CONTROL  
PROGRAM FEES

\*\*\*\*\*

WHEREAS, the State of California Regional Water Quality Control Board ("RWQCB") for the Santa Ana Region adopted Order R8-2002-0014, which prescribes general waste discharge requirements prohibiting sanitary sewer overflows ("SSOs") by sewer collection agencies; and

WHEREAS, in Order R8-2002-0014, the RWQCB found that one of the leading causes of SSOs within the Santa Ana Region, which encompasses the District's service area is "grease blockages;" and

WHEREAS, SSOs often caused by discharge of wastewater containing high levels of fat, oils and grease ("FOG"), suspended solids, pathogenic organisms, and other pollutants, may cause temporary exceedances of applicable water quality objectives, pose a threat to the public health, adversely affect aquatic life, and impair the public recreational use and aesthetic enjoyment of surface waters within the District's service area; and

WHEREAS, the 2000-2001 Orange County Grand Jury ("Grand Jury") conducted a survey among 35 wastewater collection and treatment agencies in Orange County and concluded that one of the leading causes of SSOs and sewage spills is sewer lines clogged from the accumulation of FOG discharged from Food Service Establishments; and

WHEREAS, the Grand Jury further concluded that more effective methods of minimizing grease discharges into the sewer system must be developed and implemented to reduce the discharge of FOG to the sewer system in order to prevent sewer blockages and SSOs; and

WHEREAS, Orange County Sanitation District ("District"), together with 32 other agencies, are collectively named as "Dischargers" in Order No. R8-2002-0014; and

WHEREAS, Order No. R8-2002-0014 requires the District to monitor and control SSOs and to develop a FOG Control Program by December 30, 2004; and

WHEREAS, in light of the overwhelming evidence that FOG is a primary cause of SSOs, the District desires to implement a FOG Control Program to prevent SSOs; and

WHEREAS, the foregoing findings indicate that a FOG Control Program is required for Food Service Establishments within the District's jurisdiction to comply with waste discharge regulations and prevent the harmful effects of SSOs; and

WHEREAS, on November 17, 2004, the Board of Directors adopted Ordinance No. OCSD-25 adopting FOG control regulations applicable to Food Service Establishments; and

WHEREAS, Ordinance No. OCSD-25 requires Food Service Establishments subject to the regulations to obtain a FOG Wastewater Discharge Permit, and to pay an application fee in the amount set by resolution of the Board; and

WHEREAS, Food Service Establishments who are found to be in noncompliance with the terms and conditions of their FOG Wastewater Discharge Permit, Ordinance No. OCSD-25 or other relevant regulations are required to pay a general noncompliance fee, which includes the District's costs of additional monitoring activities and administrative processing incurred resulting from the noncompliance.

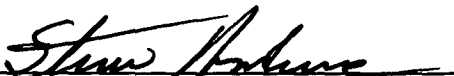
NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District DOES HEREBY RESOLVE, DETERMINE, AND ORDER:

Section 1: Annual Permit Fee. The fee for each FOG Wastewater Discharge Permit issued pursuant to Ordinance No. OCSD-25 or its successors, is \$100 per year. For example, a permit for a two-year term is subject to a \$200 fee.

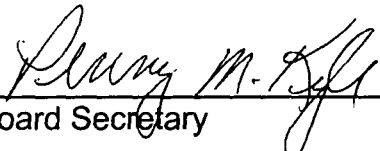
Section 2: General Noncompliance Fee. The general noncompliance fee is \$100.00 per event for the District follow-up activities due to permit, ordinance or regulatory noncompliance.

Section 3: Effective Date. This Resolution shall take effect on May 1, 2005.

PASSED AND ADOPTED at a regular meeting held March 23, 2005.

  
Chair

ATTEST:

  
Board Secretary





## **Appendix D1**

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FOG Permit Type 1 – BMP Only

# FATS, OILS, AND GREASE WASTEWATER DISCHARGE PERMIT

Permit No: F-601510

## ORANGE COUNTY SANITATION DISTRICT

In accordance with the provisions of Ordinance No. OCSD-25 - Fats, Oils, and Grease (FOG) Discharge Regulations (FOG Ordinance) of the Orange County Sanitation District, herein referred to as "OC San",

**El Metate Market - Store #2  
125 N. Rancho Santiago Blvd.  
Orange, CA 92869**

hereinafter referred to as "Permittee", is hereby authorized to discharge wastewater from the above identified location into OC San's sewer system in accordance with the conditions set forth in this permit. Such conditions are as specified in the following parts of this permit:

- Part 1 - Discharge Limitation and Restrictions
- Part 2 - Requirements for FOG Control
- Part 3 - Notification, Record-Keeping, and Reporting Requirements
- Part 4 - Standard Conditions
- Part 5 - Special Conditions

If the Permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit a minimum of 60 days prior to the expiration date. **Discharging without a valid permit is a violation of the FOG Ordinance and may be subject to administrative fines and physical termination of sewer service.**

Compliance with this permit does not relieve the Permittee of its obligation to comply with the OC San's FOG Ordinance, any applicable requirements under local, State, and Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit.

This permit shall become effective on January 01, 2022 and shall expire on December 31, 2023. OC San may amend this permit at any time during the term of the permit.

By:

Lan Wiborg  
Director of Environmental Services  
Resource Protection Division



Issued on

## ORANGE COUNTY SANITATION DISTRICT

10844 Ellis Avenue  
Fountain Valley, CA 92708-7018  
(714) 962-2411

## **PART 1. DISCHARGE LIMITATION AND RESTRICTIONS**

During the period from **January 01, 2022** (effective date) to **December 31, 2023** (expiration date), Permittee is authorized to discharge wastewater into the OC San's sewer system, subject to the following effluent limitations and discharge restrictions:

### **A. DISCHARGE LIMITATION**

Permittee shall not discharge into the sewer system Fats, Oils, and Grease (FOG) that may accumulate and/or cause or contribute to blockages in the sewer system or at the lateral which connects the Permittee's facility to the sewer system.

### **B. DISCHARGE RESTRICTIONS**

The following general prohibitions apply:

1. **Food Grinders.** Installation of food grinders in the plumbing system of new constructions of Food Service Establishments is prohibited. Furthermore, all food grinders shall be removed from all existing Food Service Establishments within 180 days of the effective date of this permit, except when expressly allowed in writing by the FOG Control Program Manager.
2. **Additives.** Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance is prohibited, unless a specific written authorization from the FOG Control Program Manager is obtained.
3. **Waste Cooking Oil.** Disposal of waste cooking oil into drainage pipes is prohibited. All waste cooking oils shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
4. **Dishwasher Discharge.** Discharge of wastewater from dishwashers to any grease trap or grease interceptor is prohibited.
5. **Temperature Limitation.** Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors, is prohibited.
6. **Domestic Wastes.** Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service or vice versa, is prohibited.
7. **FOG and Solids from Grease Interceptors.** Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system is prohibited. Grease removed from grease interceptors shall be wastehailed periodically as part of the operation and maintenance requirements for grease interceptors.
8. **25% Rule.** Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the design hydraulic depth of the grease interceptor (25% Rule) is prohibited.

## PART 2. REQUIREMENTS FOR FOG CONTROL

Permittee shall comply with the following requirements to control the discharge of FOG to the sewer system:

### A. BEST MANAGEMENT PRACTICES (BMP)

Permittee shall implement BMPs in its operation to minimize the discharge of FOG to the sewer system. At a minimum, Permittee shall implement the following BMPs when applicable:

1. **Installation of drain screens.** Drain screens shall be installed on all drainage pipes in food preparation areas.
2. **Segregation and collection of waste cooking oil.** All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure that they do not leak. Licensed wastehaulers or an approved recycling facility must be used to dispose of waste cooking oil.
3. **Disposal of food waste.** All food waste shall be disposed of directly into the trash or garbage, and not in sinks. Double-bagging food wastes that have the potential to leak in trash bins is highly recommended.
4. **Employee training.** Employees of the food service establishment shall be trained within 180 days of the effective date of this Permit, and twice each calendar year thereafter, on the following subjects:
  - a) How to "dry wipe" pots, pans, dishware and work areas before washing to remove grease.
  - b) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
  - c) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
  - d) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained, indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by the FOG Control Program Manager or an inspector.

5. **Maintenance of kitchen exhaust filters.** Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filter shall be disposed properly.
6. **Kitchen signage.** Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

### B. FOG PRETREATMENT

1. **Grease Interceptor Requirement.** Permittee shall install, operate, and maintain an approved type and adequately sized grease interceptor in accordance with **Attachment A**. The grease interceptor shall be adequate to separate and remove FOG contained in wastewater discharges from the Permittee's facility prior to discharge to the sewer system. Under special circumstances, OC San may issue a variance or waiver from this requirement as described in Section 2.6 of the OC San's FOG Ordinance.

**WAIVED**  
**See Attachment A - Conditional  
Waiver**

### **PART 3. NOTIFICATION, RECORD-KEEPING, AND REPORTING REQUIREMENTS**

#### **A. NOTIFICATION REQUIREMENTS**

Permittee shall comply with the following notification requirements:

##### **1. Notification of Spill**

In case of a sewage spill, Permittee shall notify OC San immediately by phone.

Orange County Sanitation District                      (714) 962-2411

Confirmation of this notification shall be made in writing to the FOG Control Program Manager at the address specified in the Permit no later than five (5) working days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.

##### **2. Notification Regarding Planned Changes**

Permittee shall notify OC San at least 60 days in advance prior to any facility expansion/remodeling, or process modifications that may result in new or substantially increased FOG discharges or a change in the nature of the discharge. Permittee shall notify OC San in writing of the proposed expansion or remodeling and shall submit any information requested by OC San for evaluation of the effect of such expansion on Permittee's FOG discharge to the sewer system.

#### **B. RECORD-KEEPING REQUIREMENTS**

Permittee shall keep records for at least two years and submit or make available for review, the following documents to OC San, upon request:

1. A Record/Logbook of BMPs being implemented including employee training.
2. A Logbook of recyclable (yellow) grease pickup/disposal.

For Permittees with grease interceptors or other grease control device:

3. A Logbook of grease interceptor (or other grease control device) cleaning and maintenance practices and activities.
4. Copies of records and manifests of wastehauling interceptor contents.

#### **C. REPORTING REQUIREMENTS**

##### **1. BMP Monitoring Report**

It is OC San's intent to keep inspection of your kitchen to a minimum. To accomplish this, you are required to submit BMP Monitoring Reports, as described below, to demonstrate the status of your compliance with the OC San's BMP requirements.

Permittee shall submit BMP Monitoring Reports semi-annually in accordance with the schedule specified in the following table. The report shall indicate current status of BMPs that are in place as required in Part 2 A of this permit. The BMP information shall be summarized and reported on the official BMP Monitoring Report Form (example shown in **Attachment B**), which shall be mailed out to the Permittee at least 4 weeks prior to the required reporting date. OC San will not accept unofficial BMP Monitoring Report Forms because it uses computer-generated bar codes for tracking purposes.

Permittee shall submit a BMP Monitoring Report for each BMP monitoring period in accordance with the following schedule:

Semi-Annual Reporting Period	Due Dates for Submitting BMP Monitoring Reports
January 2022 - June 2022	07/15/2022
July 2022 - December 2022	01/15/2023
January 2023 - June 2023	07/15/2023
July 2023 - December 2023	01/15/2024

**2. Changes in Company information**

Permittee shall immediately inform OC San of any changes in ownership or facility name, and discrepancies in the food service establishment information currently on file as shown in **Attachment C**.

**3. Signatory Requirements**

Prior to submittal of the BMP Monitoring Report or Grease Interceptor Wastehauling Report to OC San, the information shall be verified and signed under penalty of perjury by an authorized company official.

**4. Falsifying Information**

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

## **PART 4. STANDARD CONDITIONS**

### **A. NON-TRANSFERABILITY OF PERMIT**

This permit is issued specifically to the owner and facility location specified in this permit. This permit is issued for a specific user, for a specific operation at a specific location, and creates no vested rights. Any permit that is transferred to a new owner and/or operator or to a new facility is void. Permittee shall notify OC San in writing prior to the transfer of ownership and shall give a copy of the existing permit to the new owner or operator.

### **B. ACCESS REQUIREMENTS**

Access to the Permittee's facility shall be granted to OC San's personnel and/or its designee to all parts of the facility for the purpose of conducting compliance inspection during all times the facility is open, operating, or any other reasonable time. OC San may conduct random, unannounced inspections to verify compliance with the terms and conditions of this permit.

### **C. CIVIL PENALTIES**

Any person who violates any provision of the FOG Ordinance; or any permit condition, prohibition or effluent limitation; or any suspension or revocation order shall be liable civilly for a penalty pursuant to Article 6 of the FOG Ordinance, for each day in which such violation occurs.

### **D. CRIMINAL PENALTIES**

Any person who violates any provision of the FOG Ordinance or any permit condition, prohibition or effluent limit, is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed one thousand dollars (\$1,000), or imprisonment for not more than six (6) months in the County Jail, or both. Each day in violation constitutes a new and separate violation and shall be subject to the penalties contained herein.

### **E. SEVERABILITY**

The provisions of this permit are severable. If any provision of those permits limitations and/or requirements, or the application thereof, to the Permittee is held invalid, the remainder of the permit limits and/or requirements shall remain in full force and effect.

### **F. TERMINATION OF SERVICE**

OC San, by Order of the General Manager, may physically terminate sewer service to any property on a term of any order of suspension or revocation of a permit or upon the failure of a person not holding a valid wastewater discharge permit to immediately cease discharge, whether direct or indirect, to OC San's sewer facilities after due notification. All costs for physical termination as well as for reinstating service shall be paid by the Permittee.

**PART 5. SPECIAL CONDITIONS FOR PERMIT NO. F-601510**

- Permittee shall remove existing food grinders within 180 days of the effective date of this permit.

**1. FOG CONDITIONAL GI WAIVER**



**ATTACHMENTS**

**PERMIT NO. F-601510**

**El Metate Market - Store #2**

**ATTACHMENT A**

**CONDITIONAL WAIVER FROM GREASE  
INTERCEPTOR REQUIREMENT**

This Conditional Waiver from Grease Interceptor Requirement is issued to:

**El Metate Market - Store #2  
Permit No.: F-601510  
125 N. Rancho Santiago Blvd.  
Orange, CA 92869**

hereinafter referred to as "Permittee", in accordance with the provisions of Ordinance No. OCSD-25 - Fats, Oils, and Grease (FOG) Discharge Regulations (FOG Ordinance) of the Orange County Sanitation District, herein referred to as "OC San". Permittee is granted a temporary conditional waiver for the requirement to install, operate, and maintain a grease interceptor as required in Part 2 B of the Wastewater Discharge Permit, until the expiration date shown below:

Grease Interceptor Waiver Issuance Date	01/01/2022	Grease Interceptor Waiver Expiration Date	12/31/2023
--	------------	--	------------

This waiver is granted based on the following conditions:

- Permittee is an existing food service establishment covered under the 3-year amortization period and has negligible FOG discharge and insignificant impact to the sewer system, based on current information. During this grace period, Permittee is given the opportunity to evaluate and plan to reduce its FOG discharge through installation of an adequate grease interceptor, unless a waiver renewal or variance is obtained.

**OC San will further determine your waiver status based on the impact of your discharge to the sewer system through a visual observation (CCTV) of your sewer lateral, use of BMP's and other factors. Based on the findings, OC San may at any time, revoke this waiver as deemed appropriate. Upon revocation or non-renewal of the waiver, the Permittee shall be required to install, operate, and maintain a grease interceptor.**

By:

Lan Wiborg  
Director of Environmental Services  
Resource Protection Division

Issued on



**ORANGE COUNTY SANITATION DISTRICT**

10844 Ellis Avenue  
Fountain Valley, CA 92708-7018  
(714) 962-2411

**ATTACHMENT B**

**SEMI-ANNUAL KITCHEN BEST MANAGEMENT PRACTICES (BMP) MONITORING REPORT**

Facility Name: XYZ Restaurant		Permit No:		BMR No:	
Contact:		Reporting Period: January 1, 2005 to June 30, 2005		Submission Date: July 15 2005	
	Requirement	BMP Compliance Checklist	Yes	No	Not Applicable (Explain why)
1	Installation of drain screens	Are drain screens installed on all sink and floor drains in the food preparation areas?	<input type="checkbox"/>	<input type="checkbox"/>	
2	Segregation and collection of waste cooking oil	Is waste cooking oil collected and properly stored in drums and barrels for offsite recycling, or other acceptable disposal method?	<input type="checkbox"/>	<input type="checkbox"/>	
3	Disposal of food waste	Are all food wastes disposed of directly into the trash or garbage, and not down the drains? Disposal of solid wastes down the sink or food grinder drain is prohibited.	<input type="checkbox"/>	<input type="checkbox"/>	
4	Maintenance of exhaust filters	Is the wastewater generated from cleaning the kitchen exhaust filters disposed of properly?	<input type="checkbox"/>	<input type="checkbox"/>	
5	Kitchen Signage	Is the "Drain Is Not A Dump" sign posted in the kitchen area to remind employees about required BMPs?	<input type="checkbox"/>	<input type="checkbox"/>	
6	Employee Training	Employees have been trained on the following Best Management Practices during the reporting period:			
		How to "dry wipe" pots, pans, dishware and work areas to remove food scraps and grease before washing.	<input type="checkbox"/>	<input type="checkbox"/>	
		Proper disposal of food waste and solids in enclosed plastic bags prior to depositing in trash containers or garbage bins to prevent leaking and odors.	<input type="checkbox"/>	<input type="checkbox"/>	
		The location and use of absorption products to clean under fryer baskets and other locations where fats, oils, and grease may be spilled or dripped.	<input type="checkbox"/>	<input type="checkbox"/>	
		How to properly dispose of grease or oils from cooking equipment into the waste grease barrel or drum without spilling to eliminate storm water contamination.	<input type="checkbox"/>	<input type="checkbox"/>	
7	Employee Training Documentation	Training is documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed.	<input type="checkbox"/>	<input type="checkbox"/>	
8	Other BMPs in place	<b>Example Only</b>			
<b>Actual Form will be mailed</b>					
<p>The results presented herein must be verified and signed under penalty of perjury by: (i) a responsible officer; (ii) general partner or proprietor; or (iii) a representative who has the responsibility for the overall operation of the permitted facility, who has been authorized by the corporate officer, general partner or proprietor to sign such reports, and such authorization has been made in writing and submitted to OC San.</p> <p><i>I have personally examined and am familiar with the information submitted in this document. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of permit revocation/sewer access termination.</i></p>					
Name		Signature		Title	
				Date	

## Attachment C

### PERMITEE INFORMATION ON FILE

The following information is currently on file. If any of the information is inaccurate or missing, Permittee is required to update OC San using the FSE Information Update Form provided in the Forms Tab of the Binder.

Applicant:	El Metate Foods, Inc.	Doing Business as (DBA)	El Metate Market - Store #2
Street Address:	125 N. Rancho Santiago Blvd.	Facility Phone Number	714-771-5527
City/ZIP Code	Orange, 92869	Facility Email Address	
Food Service Establishment Owner		Designated Signatory	
Name/Title	Rudy Murrieta / President	Name/Title	No Person Designated /
Address	838 E. 1st St.,	Address	
City / State / ZIP	Santa Ana, CA 92701	City / State / ZIP	
Phone Number	714-542-3913	Phone Number	
Email Address		Email Address	
Facility Contact During Business Hours		Chris Murrieta / Manager / 714-771-5527	
Name/Title/Phone Number			
Chain Status	<input type="checkbox"/> Chain <input checked="" type="checkbox"/> Independent	Type of Ownership	<input type="checkbox"/> Single Proprietorship
Seating Capacity	Inside: <input type="text" value="0"/> Outside: <input type="text" value="5"/>		<input type="checkbox"/> Partnership
Seating	<input type="checkbox"/> Sit-down	Average No. of Meals served during peak hour	<input type="text" value="75-100"/>
	<input checked="" type="checkbox"/> Take-out		
No. of Employees	<input type="text" value="15"/>	Non-disposable Dish Usage	<input type="checkbox"/> Yes
			<input checked="" type="checkbox"/> No
Food Processing Equipment		Kitchen Equipment	
Deep Fryers - ( 1 )	Rotisserie - ( )	Dishwasher - ( )	
Charbroilers - ( )	Griddles - ( 1 )	Pre-Rinse Sink - ( 1 )	
Grills - ( )	Stoves - ( 1 )	Mop Sink - ( 1 )	
Ovens - ( 1 )	Woks - ( )	Floor Drain - ( 3 )	
Other - ( )		Garbage Disposal - ( )	
Hours of Operation			
Monday	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="8:00 pm"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Tuesday	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="8:00 pm"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Wednesday	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="8:00 pm"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Thursday	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="8:00 pm"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Friday	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="8:00 pm"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Saturday	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="8:00 pm"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Sunday	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="8:00 pm"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed

## **Appendix D2**

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FOG Permit Type 2 – BMP and GI

# FATS, OILS, AND GREASE WASTEWATER DISCHARGE PERMIT

Permit No: F-601583

## ORANGE COUNTY SANITATION DISTRICT

In accordance with the provisions of Ordinance No. OCSD-25 - Fats, Oils, and Grease (FOG) Discharge Regulations (FOG Ordinance) of the Orange County Sanitation District, herein referred to as "OC San",

**McDonald's #6180  
4200 E. Chapman Ave.  
Orange, CA 92869**

hereinafter referred to as "Permittee", is hereby authorized to discharge wastewater from the above identified location into OC San's sewer system in accordance with the conditions set forth in this permit. Such conditions are as specified in the following parts of this permit:

- Part 1 - Discharge Limitation and Restrictions
- Part 2 - Requirements for FOG Control
- Part 3 - Notification, Record-Keeping, and Reporting Requirements
- Part 4 - Standard Conditions
- Part 5 - Special Conditions

If the Permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit a minimum of 60 days prior to the expiration date. **Discharging without a valid permit is a violation of the FOG Ordinance and may be subject to administrative fines and physical termination of sewer service.**

Compliance with this permit does not relieve the Permittee of its obligation to comply with the OC San's FOG Ordinance, any applicable requirements under local, State, and Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit.

This permit shall become effective on January 01, 2022 and shall expire on December 31, 2023. OC San may amend this permit at any time during the term of the permit.

By:

Lan Wiborg  
Director of Environmental Services  
Resource Protection Division



Issued on

## ORANGE COUNTY SANITATION DISTRICT

10844 Ellis Avenue  
Fountain Valley, CA 92708-7018  
(714) 962-2411

## **PART 1. DISCHARGE LIMITATION AND RESTRICTIONS**

During the period from **January 01, 2022** (effective date) to **December 31, 2023** (expiration date), Permittee is authorized to discharge wastewater into the OC San's sewer system, subject to the following effluent limitations and discharge restrictions:

### **A. DISCHARGE LIMITATION**

Permittee shall not discharge into the sewer system Fats, Oils, and Grease (FOG) that may accumulate and/or cause or contribute to blockages in the sewer system or at the lateral which connects the Permittee's facility to the sewer system.

### **B. DISCHARGE RESTRICTIONS**

The following general prohibitions apply:

1. **Food Grinders.** Installation of food grinders in the plumbing system of new constructions of Food Service Establishments is prohibited. Furthermore, all food grinders shall be removed from all existing Food Service Establishments within 180 days of the effective date of this permit, except when expressly allowed in writing by the FOG Control Program Manager.
2. **Additives.** Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance is prohibited, unless a specific written authorization from the FOG Control Program Manager is obtained.
3. **Waste Cooking Oil.** Disposal of waste cooking oil into drainage pipes is prohibited. All waste cooking oils shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
4. **Dishwasher Discharge.** Discharge of wastewater from dishwashers to any grease trap or grease interceptor is prohibited.
5. **Temperature Limitation.** Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors, is prohibited.
6. **Domestic Wastes.** Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service or vice versa, is prohibited.
7. **FOG and Solids from Grease Interceptors.** Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system is prohibited. Grease removed from grease interceptors shall be wastehailed periodically as part of the operation and maintenance requirements for grease interceptors.
8. **25% Rule.** Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the design hydraulic depth of the grease interceptor (25% Rule) is prohibited.

## PART 2. REQUIREMENTS FOR FOG CONTROL

Permittee shall comply with the following requirements to control the discharge of FOG to the sewer system:

### A. BEST MANAGEMENT PRACTICES (BMP)

Permittee shall implement BMPs in its operation to minimize the discharge of FOG to the sewer system. At a minimum, Permittee shall implement the following BMPs when applicable:

1. **Installation of drain screens.** Drain screens shall be installed on all drainage pipes in food preparation areas.
2. **Segregation and collection of waste cooking oil.** All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure that they do not leak. Licensed wastehaulers or an approved recycling facility must be used to dispose of waste cooking oil.
3. **Disposal of food waste.** All food waste shall be disposed of directly into the trash or garbage, and not in sinks. Double-bagging food wastes that have the potential to leak in trash bins is highly recommended.
4. **Employee training.** Employees of the food service establishment shall be trained within 180 days of the effective date of this Permit, and twice each calendar year thereafter, on the following subjects:
  - a) How to "dry wipe" pots, pans, dishware and work areas before washing to remove grease.
  - b) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
  - c) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
  - d) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained, indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by the FOG Control Program Manager or an inspector.

5. **Maintenance of kitchen exhaust filters.** Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filter shall be disposed properly.
6. **Kitchen signage.** Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

### B. FOG PRETREATMENT

1. **Grease Interceptor Requirement.** Permittee shall install, operate, and maintain an approved type and adequately sized grease interceptor in accordance with **Attachment A**. The grease interceptor shall be adequate to separate and remove FOG contained in wastewater discharges from the Permittee's facility prior to discharge to the sewer system. Under special circumstances, OC San may issue a variance or waiver from this requirement as described in Section 2.6 of the OC San's FOG Ordinance.



2. **Grease Interceptor Maintenance Frequency.** Grease interceptors shall be maintained by periodic removal of the full content of the interceptor which includes wastewater accumulated FOG, floating materials, sludge, and solids. Permittee shall fully pump out contents of the grease interceptor at a frequency as shown below:

Minimum Grease Interceptor Cleaning Frequency	At least once every <b>Every 3 months</b>
---	---

3. **Grease Interceptor Maintenance Requirement.** Grease interceptors shall be maintained in efficient operating condition such that the combined FOG and solids accumulation does not exceed 25% of the design hydraulic depth of the grease interceptor. Any exceedance above 25% constitutes a violation of this permit. This requirement is to ensure that the minimum hydraulic retention time and required available volume is maintained to effectively intercept and retain FOG discharged to the sewer system.

### **PART 3. NOTIFICATION, RECORD-KEEPING, AND REPORTING REQUIREMENTS**

#### **A. NOTIFICATION REQUIREMENTS**

Permittee shall comply with the following notification requirements:

##### **1. Notification of Spill**

In case of a sewage spill, Permittee shall notify OC San immediately by phone.

Orange County Sanitation District                      (714) 962-2411

Confirmation of this notification shall be made in writing to the FOG Control Program Manager at the address specified in the Permit no later than five (5) working days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.

##### **2. Notification Regarding Planned Changes**

Permittee shall notify OC San at least 60 days in advance prior to any facility expansion/remodeling, or process modifications that may result in new or substantially increased FOG discharges or a change in the nature of the discharge. Permittee shall notify OC San in writing of the proposed expansion or remodeling and shall submit any information requested by OC San for evaluation of the effect of such expansion on Permittee's FOG discharge to the sewer system.

#### **B. RECORD-KEEPING REQUIREMENTS**

Permittee shall keep records for at least two years and submit or make available for review, the following documents to OC San, upon request:

1. A Record/Logbook of BMPs being implemented including employee training.
2. A Logbook of recyclable (yellow) grease pickup/disposal.

For Permittees with grease interceptors or other grease control device:

3. A Logbook of grease interceptor (or other grease control device) cleaning and maintenance practices and activities.
4. Copies of records and manifests of wastehauling interceptor contents.

#### **C. REPORTING REQUIREMENTS**

##### **1. BMP Monitoring Report**

It is OC San's intent to keep inspection of your kitchen to a minimum. To accomplish this, you are required to submit BMP Monitoring Reports, as described below, to demonstrate the status of your compliance with the OC San's BMP requirements.

Permittee shall submit BMP Monitoring Reports semi-annually in accordance with the schedule specified in the following table. The report shall indicate current status of BMPs that are in place as required in Part 2 A of this permit. The BMP information shall be summarized and reported on the official BMP Monitoring Report Form (example shown in Attachment B), which shall be mailed out to the Permittee at least 4 weeks prior to the required reporting date. OC San will not accept unofficial BMP Monitoring Report Forms because it uses computer-generated bar codes for tracking purposes.

Permittee shall submit a BMP Monitoring Report for each BMP monitoring period in accordance with the following schedule:

Semi-Annual Reporting Period	Due Dates for Submitting BMP Monitoring Reports
January 2022 - June 2022	07/15/2022
July 2022 - December 2022	01/15/2023
January 2023 - June 2023	07/15/2023
July 2023 - December 2023	01/15/2024

**2. Grease Interceptor Wastehauling Report**

Based on the grease interceptor maintenance frequency specified in Part 2 B of this permit, Permittee shall submit a Grease Interceptor Wastehauling Report semi-annually. The information shall be summarized and reported on the official Grease Interceptor Wastehauling Report Form (example shown in **Attachment C**), which shall be mailed out to the Permittee at least 4 weeks prior to the required reporting date. The report shall indicate the grease interceptor maintenance activities performed during the wastehauling monitoring period and shall include copies of wastehauling manifests. OC San will not accept unofficial Grease Interceptor Wastehauling Report Forms because it uses computer-generated bar codes for tracking purposes. Permittee shall submit Grease Interceptor Wastehauling Reports in accordance with the following schedule:

Wastehauling Monitoring Period	Due Dates for Submitting Grease Interceptor Wastehauling Reports
January 2022 - June 2022	07/15/2022
July 2022 - December 2022	01/15/2023
January 2023 - June 2023	07/15/2023
July 2023 - December 2023	01/15/2024

**3. Changes in Company information**

Permittee shall immediately inform OC San of any changes in ownership or facility name, and discrepancies in the food service establishment information currently on file as shown in **Attachment D**.

**4. Signatory Requirements**

Prior to submittal of the BMP Monitoring Report or Grease Interceptor Wastehauling Report to OC San, the information shall be verified and signed under penalty of perjury by an authorized company official.

**5. Falsifying Information**

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

## **PART 4. STANDARD CONDITIONS**

### **A. NON-TRANSFERABILITY OF PERMIT**

This permit is issued specifically to the owner and facility location specified in this permit. This permit is issued for a specific user, for a specific operation at a specific location, and creates no vested rights. Any permit that is transferred to a new owner and/or operator or to a new facility is void. Permittee shall notify OC San in writing prior to the transfer of ownership and shall give a copy of the existing permit to the new owner or operator.

### **B. ACCESS REQUIREMENTS**

Access to the Permittee's facility shall be granted to OC San's personnel and/or its designee to all parts of the facility for the purpose of conducting compliance inspection during all times the facility is open, operating, or any other reasonable time. OC San may conduct random, unannounced inspections to verify compliance with the terms and conditions of this permit.

### **C. CIVIL PENALTIES**

Any person who violates any provision of the FOG Ordinance; or any permit condition, prohibition or effluent limitation; or any suspension or revocation order shall be liable civilly for a penalty pursuant to Article 6 of the FOG Ordinance, for each day in which such violation occurs.

### **D. CRIMINAL PENALTIES**

Any person who violates any provision of the FOG Ordinance or any permit condition, prohibition or effluent limit, is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed one thousand dollars (\$1,000), or imprisonment for not more than six (6) months in the County Jail, or both. Each day in violation constitutes a new and separate violation and shall be subject to the penalties contained herein.

### **E. SEVERABILITY**

The provisions of this permit are severable. If any provision of those permits limitations and/or requirements, or the application thereof, to the Permittee is held invalid, the remainder of the permit limits and/or requirements shall remain in full force and effect.

### **F. TERMINATION OF SERVICE**

OC San, by Order of the General Manager, may physically terminate sewer service to any property on a term of any order of suspension or revocation of a permit or upon the failure of a person not holding a valid wastewater discharge permit to immediately cease discharge, whether direct or indirect, to OC San's sewer facilities after due notification. All costs for physical termination as well as for reinstating service shall be paid by the Permittee.

**PART 5. SPECIAL CONDITIONS FOR PERMIT NO. F-601583**

- Permittee shall remove existing food grinders within 180 days of the effective date of this permit.

**ATTACHMENTS**

**PERMIT NO. F-601583**

**McDonald's #6180**

**ATTACHMENT A**

**GREASE INTERCEPTOR DESIGN GUIDELINES**

**A. Sizing Grease Interceptors**

Grease interceptors shall be designed and sized based on anticipated flow rates and organic load for maximum efficiency. The FOG Ordinance adopted by OC San requires grease interceptor sizing and construction to conform with the **Uniform Plumbing Code (UPC)**. To calculate the size of grease interceptor needed by a food service establishment, refer to the following formula taken from Appendix H of the Uniform Plumbing Code:

$\text{No. of Meals per peak hour}^1 \times \text{Waste Flow Rate}^2 \times \text{Retention Time}^3 \times \text{Storage Factor}^4 = \text{Interceptor Size (Liquid Capacity)}$				
1	Meals Served at Peak Hour		3	Retention Times: Commercial kitchen waste Dishwasher 2.5 hours Single-service kitchen Single serving 1.5 hours
2	To calculate the Waste Flow Rate, select the one option that applies:  With dishwashing machine 6 gallons Without dishwashing machine 5 gallons Single-service kitchen 2 gallons		4	Storage Factors: Fully equipped commercial kitchen: 8-hour operation 1 16-hour operation 2 24-hour operation 3 Single-service kitchen 1.5

**B. Grease Interceptor Design and Construction Guidelines**

- Grease interceptors shall be placed as close as practical to the fixture(s) being served. It shall be located where it is easily accessible at all times for inspection, cleaning, and removal of accumulated grease.
- Minimum grease interceptor size shall be 750 gallons; the maximum size shall be 1500 gallons unless authorized by OC San in writing.
- Grease interceptors shall have two compartments. The inlet compartment shall be 2/3 of the total capacity of the interceptor and in all cases shall be longer than the maximum inside width of the interceptor. The outlet compartment shall have a minimum capacity of 1/3 of the total interceptor capacity. The liquid depth shall not be less than 2 feet 6 inches nor more than 6 feet.
- Access to each grease interceptor shall be provided by a manhole over the inlet and a manhole over the outlet. There shall also be an access manhole for each 10 feet of length for interceptors over 20 feet long. Manholes shall extend to grade, have a minimum size of 24 inches diameter or square opening, and shall have a gasketed cover at grade.
- The inlet and outlet shall have a baffle tee or similar flow device with a minimum cross sectional area equal to the required cross sectional area of the inlet. Each baffle shall extend from at least 4 inches above the liquid level to within at least 12 inches of the inside floor of the interceptor.
- Adequate partitions or baffles shall extend at least 6 inches above the liquid level. Flow from inlet compartment to outlet compartment shall be through a quarter bend, or similar device equivalent in cross sectional area to the inlet into the interceptor, and shall extend down to within 12 inches of the inside floor.
- Inlet, outlet and main baffle shall have a free vent area equal to the required cross sectional area of the inlet pipe.

For more details, consult Appendix H of the UPC.

**ATTACHMENT B**

**SEMI-ANNUAL KITCHEN BEST MANAGEMENT PRACTICES (BMP) MONITORING REPORT**

Facility Name: XYZ Restaurant		Permit No:			BMR No:	
Contact:		Reporting Period: January 1, 2005 to June 30, 2005			Submission Date: July 15 2005	
	Requirement	BMP Compliance Checklist	Yes	No	Not Applicable (Explain why)	
1	Installation of drain screens	Are drain screens installed on all sink and floor drains in the food preparation areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2	Segregation and collection of waste cooking oil	Is waste cooking oil collected and properly stored in drums and barrels for offsite recycling, or other acceptable disposal method?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3	Disposal of food waste	Are all food wastes disposed of directly into the trash or garbage, and not down the drains? Disposal of solid wastes down the sink or food grinder drain is prohibited.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4	Maintenance of exhaust filters	Is the wastewater generated from cleaning the kitchen exhaust filters disposed of properly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5	Kitchen Signage	Is the "Drain Is Not A Dump" sign posted in the kitchen area to remind employees about required BMPs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6	Employee Training	Employees have been trained on the following Best Management Practices during the reporting period:				
		How to "dry wipe" pots, pans, dishware and work areas to remove food scraps and grease before washing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		Proper disposal of food waste and solids in enclosed plastic bags prior to depositing in trash containers or garbage bins to prevent leaking and odors.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		The location and use of absorption products to clean under fryer baskets and other locations where fats, oils, and grease may be spilled or dripped.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		How to properly dispose of grease or oils from cooking equipment into the waste grease barrel or drum without spilling to eliminate storm water contamination.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7	Employee Training Documentation	Training is documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8	Other BMPs in place	<b>Example Only</b>				
<b>Actual Form will be mailed</b>						
<p>The results presented herein must be verified and signed under penalty of perjury by: (i) a responsible officer; (ii) general partner or proprietor; or (iii) a representative who has the responsibility for the overall operation of the permitted facility, who has been authorized by the corporate officer, general partner or proprietor to sign such reports, and such authorization has been made in writing and submitted to OC San.</p> <p><i>I have personally examined and am familiar with the information submitted in this document. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of permit revocation/sewer access termination.</i></p>						
Name		Signature		Title		Date



ATTACHMENT C

**SEMI-ANNUAL GREASE INTERCEPTOR WASTEHAULING REPORT**

Facility Name: XYZ Restaurant	Permit No:	WHR No:
Contact:	Reporting Period: January 1, 2005 to June 30, 2005	Submission Date: July 15 2005

Grease Interceptor Wastehauling Activities						
1	Wastehauling Date		Wastehauler		Vehicle Tag No.	
	Gallons Removed		Waste Disposal Site		Vehicle capacity (gal.)	
2	Wastehauling Date		Wastehauler		Vehicle Tag No.	
	Gallons Removed		Waste Disposal Site		Vehicle capacity (gal.)	
3	Wastehauling Date		Wastehauler		Vehicle Tag No.	
	Gallons Removed		Waste Disposal Site		Vehicle capacity (gal.)	
4	Wastehauling Date		Wastehauler		Vehicle Tag No.	
	Gallons Removed		Waste Disposal Site		Vehicle capacity (gal.)	
5	Wastehauling Date		Wastehauler		Vehicle Tag No.	
	Gallons Removed		Waste Disposal Site		Vehicle capacity (gal.)	
6	Wastehauling Date		Wastehauler		Vehicle Tag No.	
	Gallons Removed		Waste Disposal Site		Vehicle capacity (gal.)	

**Example Only**  
**Actual Form will be mailed**

**Certification**

The results presented herein must be verified and signed under penalty of perjury by: (i) a responsible officer; (ii) general partner or proprietor; or (iii) a representative who has the responsibility for the overall operation of the permitted facility, who has been authorized by the corporate officer, general partner or proprietor to sign such reports, and such authorization has been made in writing and submitted to OC San.

*I have personally examined and am familiar with the information submitted in this document. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of permit revocation/sewer access termination.*

Name	Signature	Title	Date

Attachment D

PERMITEE INFORMATION ON FILE

The following information is currently on file. If any of the information is inaccurate or missing, Permittee is required to update OC San using the FSE Information Update Form provided in the Forms Tab of the Binder.

<b>Applicant:</b>	IVF-B	<b>Doing Business as (DBA)</b>	McDonald's #6180
<b>Street Address:</b>	4200 E. Chapman Ave.	<b>Facility Phone Number</b>	714-264-5560
<b>City/ZIP Code</b>	Orange, 92869	<b>Facility Email Address</b>	abriones@dejonmcd.com
<b>Food Service Establishment Owner</b>		<b>Designated Signatory</b>	
<b>Name/Title</b>	Jennifer Briones / CEO	<b>Name/Title</b>	No Person Designated /
<b>Address</b>	IVF-B, Inc, 11235 Knott Avenue Unit C	<b>Address</b>	
<b>City / State / ZIP</b>	Cypress, CA 90630	<b>City / State / ZIP</b>	
<b>Phone Number</b>	714-264-5560	<b>Phone Number</b>	
<b>Email Address</b>	jbriones@dejonmcd.com	<b>Email Address</b>	
<b>Facility Contact During Business Hours</b>		Leisy Torres / Manager / 714-699-0485	
<b>Name/Title/Phone Number</b>			
<b>Chain Status</b>	<input type="checkbox"/> Chain <input checked="" type="checkbox"/> Independent	<b>Type of Ownership</b>	<input type="checkbox"/> Single Proprietorship
<b>Seating Capacity</b>	Inside: <input type="text" value="80"/> Outside: <input type="text" value="16"/>		<input type="checkbox"/> Partnership
<b>Seating</b>	<input type="checkbox"/> Sit-down	<b>Average No. of Meals served during peak hour</b>	<input type="text" value="90"/>
	<input type="checkbox"/> Take-out		<b>Non-disposable Dish Usage</b>
<b>No. of Employees</b>	<input checked="" type="checkbox"/> Both	<input type="checkbox"/> Yes	
	<input type="text" value="43"/>	<input checked="" type="checkbox"/> No	
<b>Food Processing Equipment</b>		<b>Kitchen Equipment</b>	
Deep Fryers - ( 2 )	Rotisserie - ( )	Dishwasher - ( )	
Charbroilers - ( )	Griddles - ( )	Pre-Rinse Sink - ( )	
Grills - ( 2 )	Stoves - ( )	Mop Sink - ( 1 )	
Ovens - ( 2 )	Woks - ( )	Floor Drain - ( 7 )	
Other - ( )		Garbage Disposal - ( )	
<b>Hours of Operation</b>			
<b>Monday</b>	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="12:00 am"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
<b>Tuesday</b>	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="12:00 am"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
<b>Wednesday</b>	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="12:00 am"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
<b>Thursday</b>	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="12:00 am"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
<b>Friday</b>	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="12:00 am"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
<b>Saturday</b>	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="12:00 am"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
<b>Sunday</b>	Start: <input type="text" value="6:00 am"/> Stop: <input type="text" value="12:00 am"/>	Start: <input type="text"/> Stop: <input type="text"/>	or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed

## **Appendix E**

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### **Kitchen BMP Training Materials**

**FACT SHEET**

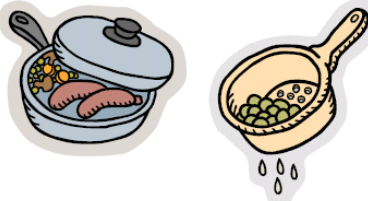
# Kitchen Best Management Practices (BMPs) for Fats, Oils, and Grease (FOG)




The best way to stop FOG from building up in sewer lines is to prevent it from entering your drains, by using “Kitchen Best Management Practices.” The most common Kitchen BMPs are listed below.

Kitchen BMP	Reason For	Benefits to Food Service Establishment
<p>Train employees in kitchen BMPs, including the proper methods of FOG disposal. Provide frequent refresher training as well.</p>	<p>Employees are more willing to support an effort if they understand the importance of implementing BMPs to prevent sewer spills.</p>	<p>Subsequent benefits of BMPs will have a better chance of being implemented.</p>



<p style="text-align: center;"><b>Kitchen BMP</b></p>	<p style="text-align: center;"><b>Reason For</b></p>	<p style="text-align: center;"><b>Benefits to Food Service Establishment</b></p>
<p>Display the appropriate “No Grease” signs or posters prominently in the workplace.</p>	<p>Signs serve as a constant reminder for employees working in kitchens.</p>	<p>These reminders will help minimize grease discharge to the traps and interceptors and reduce the cost of cleaning and disposal.</p>
<p>Install screens on all kitchen drains. Consider openings that are not more than 3/16 inch. Screens should be removable for frequent cleaning.</p>	<p>Drain screens prevent food particles containing FOG from entering into the sewer system and causing sewer blockages.</p>	<p>This will reduce the amount of material going to grease traps and interceptors. As a result, grease traps and interceptors will require less frequent cleaning, thus reducing maintenance costs.</p>
<p>Hot water over 140°F from cooking or cleaning operations should not be put down a drain that is connected to a grease trap or grease interceptor.</p>	<p>Temperatures in excess of 140°F will dissolve grease, which may re-congeal or solidify in the sanitary sewer collection system as the water-cools down in temperature.</p>	<p>Using water less than 140°F where applicable will reduce gas or electric energy costs for heating the water. This will also help prevent FOG “pass through” in grease interceptors.</p>
<p>When transporting used FOG, don't overfill containers and use covers.</p>	<p>If containers are overfull or lack covers, the FOG may spill over.</p>	<p>This will prevent FOG drips and spills.</p>
<p>Pour all cooking grease (yellow grease) and liquid oil from pots, pans and fryers into a covered grease container for recycling. Use a permitted waste collection service or authorized rendering/recycling center and keep a log.</p>	<p>Recycling reduces the amount of FOG discharged to the sewer. There are several waste oil rendering facilities throughout Southern California (reference Restaurant Oil and Grease Rendering Fact Sheet).</p>	<p>The Food Service Establishment may be paid for the waste material, reducing the amount of waste/garbage it must pay to have it hauled away.</p>
<p>Scrape or dry-wipe excess food and solidified grease from pots, pans, fryers, utensils, screens and mats, then dispose of it in the trash.</p>	<p>By dry-wiping pots, pans, and dishware and disposing food wastes in garbage receptacles, the material will not be sent to the grease traps and interceptors, but instead go to the landfill.</p>	<p>This will reduce the amount of material going to grease traps and interceptors, which will require less frequent cleaning, thereby reducing maintenance cost.</p>



<p style="text-align: center;"><b>Kitchen BMP</b></p>	<p style="text-align: center;"><b>Reason For</b></p>	<p style="text-align: center;"><b>Benefits to Food Service Establishment</b></p>
<p>Dispose of food waste by recycling and/or solid waste removal.</p> 	<p>Some recyclers will take food waste for animal feed. In the absence of such recyclers, the food waste can be disposed as solid waste in landfills by solid waste haulers.</p>	<p>Recycling of food waste will reduce the cost of solids waste disposal. Solid waste disposal of food waste will reduce the frequency and cost of grease trap and interceptor cleaning.</p>
<p>Use "Spill Kits" – make your own spill kits with absorbent material such as absorbent pads or kitty litter. Keep them well-marked and accessible for cleaning spills. Dispose of used absorbent in the trash. Designate a key employee on each shift to monitor cleanup and restock the kits.</p> 	<p>Absorbent materials can serve as an effective agent to absorb grease and oil.</p>	<p>This will reduce the amount of material going to grease traps and interceptors, which will require less frequent cleaning, reducing maintenance costs.</p>
<p>Routinely clean kitchen exhaust system filters/hoods. Dispose of waste from hoods and filters by emptying it into a drain connected to a grease interceptor if you have one, or have the hoods professionally maintained.</p> 	<p>If grease and oil escape through the kitchen exhaust system, it can accumulate on the roof of the establishment and eventually enter the storm drain system when it rains.</p>	<p>The discharge of grease and oil to the storm drain system will degrade the water quality of receiving streams. In addition, it is a violation of water quality regulations, which might result in legal penalties or fines.</p>

## **Appendix F1**

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### **FOG Ordinance: Core Elements**

## FACT SHEET

### Core Elements:

# Fats, Oils, and Grease (FOG) Ordinance No. OCSD-25

The Orange County Sanitation District's (OC San) Board of Directors adopted a Fats, Oils, and Grease (FOG) Ordinance No. OCSD-25 effective January 1, 2005 to control FOG discharges from Food Service Establishments in the City of Tustin and some unincorporated areas of Orange County within OC San's jurisdiction. This fact sheet summarizes the core elements of the FOG Ordinance.

### Permit Requirement

- All Food Service Establishments shall be required to obtain a FOG Wastewater Discharge Permit to discharge wastewater into the sewer system.

**Rationale:** A Permit is an effective method to regulate FOG discharges by providing specific requirements tailored to the needs of each Food Service Establishment in meeting specific compliance objectives. The permit identifies all of the permittee's obligations and responsibilities in a single document, thereby increasing the permittee's understanding with regards to the requirements.

### Permit Exemptions

- A limited food preparation establishment is not considered a Food Service Establishment and is exempt from obtaining a FOG Discharge Permit. Exempted establishments shall be engaged only in

reheating, hot holding, or assembly of ready-to-eat food products and, as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.

**Rationale:** Limited food preparation establishments have insignificant FOG discharges and need not be regulated at this time.

### Permit Fee

- A Permit Fee of \$100/year was proposed to cover permit issuance and maintenance. No change in existing user fees specifically for Food Service Establishments was proposed.

### Prohibitions

- Use of food grinders. Installation of food grinders in the plumbing system of new constructions of Food Service Establishments is prohibited. Furthermore, all food grinders shall be removed from all existing Food Service Establishments within 180 days after notification, except when expressly allowed by the FOG Control Program Manager.

**Rationale:** Eliminating food grinders (garbage disposer) will reduce the volume of solids that enter a grease interceptor or the sewer. Food wastes that accumulate in the grease interceptor occupy space used to separate and remove grease, resulting in increased cleaning frequency requirement, waste hauling costs, and potential blockages.



- Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the FOG Control Program Manager is obtained.

**Rationale:** *Emulsifiers hinder FOG separation by dispersing FOG in the wastewater, which directly conflicts with the grease interceptor's role in separating and removing grease. Additives may also cause the interceptor to discharge its contents to the sewer.*

- Disposal of waste cooking oil into drainage pipes. All waste cooking oils shall be collected and stored properly in receptacles, such as barrels or drums, for recycling or other acceptable methods of disposal.

**Rationale:** *Disposal of waste cooking oil to the sewer will cause blockages. Recyclers in Orange County may recycle waste cooking oil. This is an opportunity for cost recovery.*

- Discharge of wastewater from dishwashers to any grease trap or grease interceptor.

**Rationale:** *Dishwashers that utilize temperatures in excess of 140°F will dissolve grease, which then resolidifies in the sewer as the water cools. This does not necessarily apply to dishwashers that use water temperatures less than 140°F.*

- Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors.

**Rationale:** *Temperatures in excess of 140°F will dissolve grease, which then resolidifies in the sanitary sewer as the water cools.*

- Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service, or vice versa.

**Rationale:** *Grease interceptors are intended to separate and remove FOG and should not contain other wastes that will interfere with its operations and maintenance.*

- Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system. Grease removed from grease interceptors shall be wastehailed periodically as part of the operation and maintenance requirements for grease interceptors.

**Rationale:** *This defeats the purpose of the interceptor. Accumulated grease, solids, and wastewater removed from interceptors must be properly disposed offsite periodically as part of the operation and maintenance requirements.*

- Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the total design hydraulic depth of the grease interceptor (25% Rule).

**Rationale:** *This is to ensure that the minimum hydraulic retention time and required hydraulic volume is maintained to effectively intercept and retain FOG discharged to the sewer system.*

## Requirement to Implement Best Management Practices (BMPs)

- Food Service Establishments are required to implement Best Management Practices in their operation to minimize the discharge of FOG to the sewer system.

**Rationale:** *The best way to manage FOG is to keep it out of the plumbing system using Best Management Practices. BMPs are schedules of activities, prohibitions of practices, maintenance procedures, and other management practices that effectively reduce the discharge of FOG from the Food Service Establishment's wastewater discharge.*

## General Requirement for FOG Pretreatment

- Service Establishments are required to pretreat their wastewater using grease interceptors to remove FOG prior to discharge to the sewer system. Waivers or Variances are allowed when applicable, but space and plumbing segregation are required for future interceptor installation.

**Rationale:** *Pretreatment through installation, operation, and maintenance of a properly designed and adequately sized grease interceptor has been proven to be effective and is considered the Best Conventional Technology (BCT) for FOG control. Unless the FOG discharge is significantly low, implementation of BMPs and the use of other common grease control devices, such as grease traps, may not be sufficient to effectively control FOG. Food Service Establishments with insignificant FOG discharges may be granted waivers from grease interceptor installation, for*

practical reasons. A Waiver or Variance may be cancelled when it is shown that the Food Service Establishment has significantly increased its FOG discharge as a result of facility expansion or changes in operations. Because Food Service Establishments have the potential to change operations or grow (hence, increase future FOG discharge), it is important to require space and plumbing segregation to allow future grease interceptor installation, even when waivers are issued.

## Implementation of FOG Pretreatment Requirement for New Construction of Food Service Establishments

- New construction of Food Service Establishments is required to install grease interceptors prior to commencing discharge of wastewater to the sewer system.

**Rationale:** New Food Service Establishments have the ability to install grease interceptors during construction and must take this opportunity to put FOG pretreatment in place.

## Implementation of FOG Pretreatment Requirement for Existing Food Service Establishments

- For existing Food Service Establishments in general, the requirement to install and to properly operate and maintain a grease interceptor may be conditionally delayed in its implementation (through a conditional waiver) by the FOG Control Manager for a maximum period of three years from the effective date of the Ordinance.

**Rationale:** Existing Food Service Establishments will be given a three-year period from the effective date of the Ordinance to plan for the installation of grease interceptors and/or implement the best technical approach that would enable them to reduce their FOG discharges and meet the requirements of the waiver from installation of grease interceptor. The three-year grace period will allow sufficient preparation to bring the wastewater discharge to standard through installation of an adequate grease interceptor or other acceptable alternatives.

- Installation of grease interceptors are required within 180 days after notification for existing Food Service Establishments that have caused or contributed to grease related blockage in the sewer system, or which have sewer laterals connected to hotspots, or which have been determined to contribute significant FOG to the sewer system by the FOG Control Program Manager based on inspection or sampling.

**Rationale:** The implementation of the FOG Control Program is initially focused on high priority existing Food Service Establishments that have reasonable potential to adversely impact the sewer system or have sewer laterals connected to hotspots, in order to ensure that their FOG discharges are immediately reduced and brought to standard. This should decrease blockages and sanitary sewer overflows.

- Installation of grease interceptors is required for Existing Food Service Establishments undergoing remodeling or a change in operations as defined in the Ordinance, or for Existing Food Service Establishments that change ownership and undergo remodeling or a change in operations as defined in the Ordinance.

**Rationale:** Existing Food Service Establishments undergoing remodeling or a change in operations have the opportunity to bring their wastewater discharges to standard by integrating the installation of grease interceptors in their planned changes. Likewise, changes in ownership that go through remodeling or changes in operations, have the same opportunities and are subject to the same requirement.

## Variance from Grease Interceptor Requirement

- A variance may be issued to allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, to Food Service Establishments demonstrating that it is impossible or impracticable to install, operate, or maintain a grease interceptor. The FOG Control Program Manager's determination to grant a variance will be based upon, but not limited to, evaluation of the following conditions:

1. There is no adequate space for installation and/or maintenance of a grease interceptor.
2. There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease

interceptor and/or between the grease interceptor and the private collection lines or the public sewer.

3. The Food Service Establishment may justify that the alternative pretreatment technology is equivalent or better than a grease interceptor in controlling its FOG discharge. In addition, the Food Service Establishment must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through downstream visual monitoring (Closed Circuit Television or CCTV) of the sewer system, for at least three months, at its own expense. A Variance may be granted if the results show no visible accumulation of FOG in its lateral and/or tributary downstream sewer lines.

**Rationale:** Issuance of a variance allows OC San to accept other alternative FOG pretreatment technology when the installation of a grease interceptor is not feasible. This allows flexibility to implement new technology that is equivalent, in efficacy, to a grease interceptor.

## Conditional Waiver from Installation of Grease Interceptor

Conditional Waivers from installation of grease interceptors may be issued to Food Service Establishments that have been determined to have negligible FOG discharge and insignificant impact to the sewer system. This waiver may also be issued to existing Food Service establishments to delay implementation of the requirement up to a maximum of three years from the effective date of the Ordinance. The FOG Control Program Manager's determination to grant or revoke a conditional waiver shall be based upon, but not limited to, evaluation of the following conditions:

1. Quantity of FOG discharge as measured or as indicated by the size of Food Service Establishment based on seating capacity, number of meals served, menu, water usage, etc.
2. De minimis discharge, i.e., discharge volume that does not require an interceptor size larger than 350 gallons.
3. Adequacy of implementation of Best Management Practices and compliance history.
4. Sewer size, grade, condition based on visual information (CCTV), FOG deposition in the sewer by the Food Service Establishment, and history of maintenance and sewage spills in the receiving sewer system.

5. Changes in operations that significantly affect FOG discharge.
6. Any other condition deemed reasonably appropriate by the FOG Control Program Manager.

**Rationale:** Issuance of Conditional Waivers from Grease Interceptor Installation allows OC San to waive the requirement when it is not necessary, i.e., when the Food Service Establishment is determined to have negligible FOG discharge and insignificant impact to the sewer system. The waiver is made conditional so that it may be revoked anytime when any of the reasons or conditions for its issuance is no longer valid or true. The issuance of waivers allows flexibility to implement the grease interceptor requirement in a practical manner such that Food Service Establishments are not necessarily burdened by requirements that derive no benefits towards achieving the desired environmental results.

Issuance of Conditional Waivers from Grease Interceptor Installation will also be used to hold the grease interceptor requirement during the three-year delay in implementation. Three years from the effective date of the Ordinance, a conditional waiver issued for this purpose will be revoked unless the Food Service Establishment qualifies for other specific circumstances that would allow issuance of a waiver.

## Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee

- For Food Service Establishments where the installation of a grease interceptor is not feasible and no equivalent alternative pretreatment may be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a Grease Disposal Mitigation Fee as described in the Ordinance. The FOG Control Program Manager's determination to grant the waiver with a Grease Disposal Mitigation Fee will be based upon, but not limited to, evaluation of the following conditions:

1. There is no adequate space for installation and/or maintenance of a grease interceptor.
2. There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer.

3. A variance from grease interceptor installation to allow alternative pretreatment technology may not be granted.

**Rationale:** *This allows issuance of a waiver when the installation of a grease interceptor is not physically feasible. However, Food Service Establishments are required to pay an annual Grease Disposal Mitigation Fee to equitably cover the costs of increased maintenance of the sewer system as a result of the Food Service Establishments' inability to adequately remove FOG from their wastewater discharges. The Grease Disposal Mitigation Fee shall be established uniformly, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the Food Service Establishments resulting from the lack of grease interceptors or grease control devices.*

## Grease Interceptor Installation Requirements

- Any Food Service Establishment required to provide FOG pretreatment shall install, operate, and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of the Ordinance. Grease interceptor sizing and installation shall conform to the current edition of the Uniform Plumbing Code.

**Rationale:** *Although there are different methods available for sizing grease interceptors, the Uniform Plumbing Code design method is widely used and is the current official standard.*

## Grease Interceptor Maintenance Requirements

- Grease Interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor, which includes wastewater, accumulated FOG, floating materials, sludge, and solids.
- All existing and newly installed grease interceptors shall be maintained in a manner consistent with a maintenance frequency approved by the FOG Control Program Manager pursuant to this section.
- No FOG that has accumulated in a grease interceptor shall be allowed to pass into any sewer

lateral, sewer system, storm drain, or public right of way during maintenance activities.

- Food Service Establishments with grease interceptors may be required to submit data and information necessary to establish the maintenance frequencies for the grease interceptors.
- The maintenance frequency for all Food Service Establishments with a grease interceptor shall be determined in one of the following methods:
  1. Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed 25% of the total design hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume are maintained to effectively intercept and retain FOG discharged to the sewer system.
  2. All Food Service Establishments with a Grease Interceptor shall maintain their grease interceptor not less than every 6 months.
  3. Grease interceptors shall be fully pumped out and cleaned quarterly when the frequency described in (1) has not been established. The maintenance frequency shall be adjusted when sufficient data have been obtained to establish an average frequency based on the requirements described in (1) and guidelines adopted pursuant to the FOG Control Program. The District may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG Control Program. Based on the actual generation of FOG from the Food Service Establishment, the maintenance frequency may increase or decrease.
  4. The owner/operator of a Food Service Establishment may submit a request to the FOG Control Program Manager requesting a change in the maintenance frequency at any time. The Food Service Establishment has the burden of responsibility to demonstrate that the requested change in frequency reflects actual operating conditions based on the average FOG accumulation over time and meets the requirements described in (1), and that it is in full compliance with the conditions of its permit and this Ordinance. Upon determination by the FOG Control Program Manager that requested revision is justified, the permit shall be revised accordingly to reflect the change in maintenance frequency.
  5. If the grease interceptor, at any time, contains FOG and solids accumulation that does not meet the

requirements described in (1), the Food Service Establishment shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the FOG Control Program Manager may also increase the maintenance frequency of the grease interceptor from the current frequency.

- Wastewater, accumulated FOG, floating materials, sludge/solids, and other materials removed from the grease interceptor shall be disposed off-site properly by waste haulers in accordance with federal, state, and/or local laws.

**Rationale:** *The above requirements ensure that grease interceptors are properly operated at all times, by maintaining the minimum hydraulic retention time and required available volume necessary to effectively intercept and retain FOG prior to discharge of wastewater to the sewer system.*

## Requirements for Best Management Practices (BMPs)

- Installation of drain screens. Drain screens shall be installed on all drainage pipes in food preparation areas.

- Disposal of food waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.

**Rationale:** *Drain screens collect food wastes that can be disposed of in the trash as solid wastes rather than being discharged into the interceptor. Disposal of food wastes to the trash or garbage helps reduce the FOG discharged to the sewer and the interceptor pumping frequency required.*

- Segregation and collection of waste cooking oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.

**Rationale:** *Disposal of waste cooking oil to the sewer is prohibited and will cause blockages. Waste cooking oil may be recycled at recyclers in Orange County. This is an opportunity for cost recovery.*

- Employee training. Employees of the food service establishment shall be trained by ownership within 180 days of notification, and twice each calendar year thereafter, on the following subjects:

1. How to “dry wipe” pots, pans, dishware, and work areas before washing to remove grease.
2. How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
3. The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
4. How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by OC San or other authorized inspector.

**Rationale:** *Employees are more willing to support an effort if they understand the basis for it. Regular training will promote awareness in controlling FOG discharges through Best Management Practices.*

- Maintenance of kitchen exhaust filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filter shall be disposed of properly.

**Rationale:** *FOG can accumulate on the roof of an establishment and eventually enter the storm drain system when it rains. The discharge of FOG to the storm drain system is prohibited.*

- Kitchen signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

**Rationale:** *Signs serve as a constant reminder for staff working in kitchens. These reminders will help minimize discharge of FOG by implementing Best Management Practices.*

## Notification Requirements

- Food Service Establishments shall comply with the following notification requirements:

1. Notification of Spill
2. Notification Regarding Planned Changes

## Recordkeeping Requirements

- Food Service Establishments shall keep records for at least two years and submit or make available for review, the following documents to OC San, upon request:
  1. A Record/Logbook of BMPs being implemented, including employee training.
  2. A Logbook of the grease interceptor, grease trap, or grease control device cleaning and maintenance practices and activities.
  3. Training Records.

For permittees with grease interceptors:

4. Copies of records and manifests of wastehauling interceptor contents.
5. Records of sampling data and/or sludge height monitoring for FOG and solids accumulation in the grease interceptors.

## Reporting Requirements

- Food Service Establishments may be required periodic reporting of the status of implementation of BMPs and maintenance of grease interceptors.
- Other reports may be required such as compliance schedule progress reports, FOG control monitoring reports, and any other reports deemed reasonably appropriate to ensure compliance with the Ordinance.

## Drawing Submittals

- Food Service Establishments may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, schematic drawings of FOG control device, grease interceptors or other pretreatment equipment and appurtenances by size, location, and elevation for evaluation.



**This drain is not a dump.**

## **Appendix F2**

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### **FOG Fact Sheet**

# ANSWERS TO QUESTIONS ABOUT...

## FATS, OILS, AND GREASE

### WHAT IS FOG?

FOG stands for fats, oils, and grease. FOG is a mixture of fats, oils, and grease found in various cooking ingredients, such as:

- Butter and margarine
- Lard
- Meat fat
- Dairy products
- Food scraps
- Baked goods



### HOW DOES FOG ENTER THE SEWERS?

FOG enters the sewers often unintentionally. For example, FOG enters our sewers when a pan that is used to cook bacon is washed.

### WHY IS FOG A PROBLEM?

When poured down the drain, FOG can build up over time in pipes, pumps, and equipment, which can cause significant problems to OC San's sewer collection system and wastewater treatment plant. Some of the problems FOG can cause are sewer line blockages, which can lead to sewer overflows (spills) that cause environmental and public health hazards. Sewer overflows contain disease-causing bacteria and viruses that can make their way to rivers, lakes, and beaches.

### HOW TO MINIMIZE FOG DISCHARGE?

Can it. Cool it. Throw it away. The best way to manage FOG is to keep it out of the sewer system! Below are some easy steps to keep FOG out!

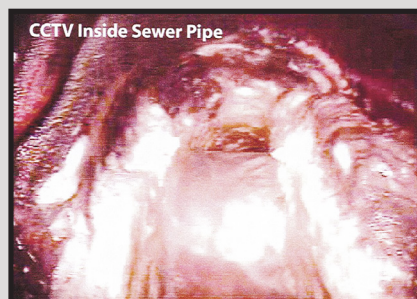
**Recycle FOG.** There are facilities available that collect household FOG. Do some research to see if there is a facility near you!

**Can the FOG.** Collect fats, oils, and grease in a disposable container, like a metal can, and mix it with absorbent trash such as coffee grounds, paper towels, or kitty litter.

**Install drain screens in kitchen sinks.** Drain screens collect food waste that can be tossed into the trash.

**Properly dispose of food waste.** All food waste should be disposed of directly into the trash, and not into sinks or down a drain. This reduces the FOG discharged to the sewer.

The Orange County Sanitation District (OC San) is responsible for safely collecting, treating, and disposing over 182 million gallons per day of wastewater generated by more than 2.6 million people in central and northwest Orange County. OC San owns and operates approximately 388 miles of regional sewer lines and two wastewater treatment plants in Fountain Valley and Huntington Beach.

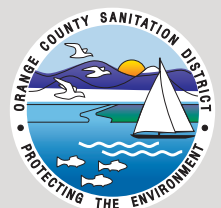


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## **Appendix F3**

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### FOG Definitions



# FACT SHEET

## Fats, Oils, and Grease (FOG) Definitions

Following are the definitions of terms commonly encountered in the FOG Source Control Program:

<b>Best Management Practices</b>	Schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the introduction of FOG to the sewer facilities.
<b>Brown Grease</b>	Yellow grease mixed with wastewater, e.g., waste from grease interceptors.
<b>Change in Operations</b>	Any change in the ownership, food types, or operational procedures that have the potential to increase the amount of FOG generated and/or discharged by Food Service Establishments in an amount that alone or collectively causes or creates a potential for SSOs to occur.
<b>Co-Permittees</b>	Sewering cities and agencies that are subject to the Waste Discharge Requirements (WDR).
<b>OC San</b>	The Orange County Sanitation District (OC San).
<b>Effluent</b>	Any liquid outflow from the Food Service Establishment that is discharged to the sewer.
<b>Fats, Oils, and Grease (“FOG”)</b>	Any substance 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.
<b>FOG Characterization</b>	Study to determine location of hot spots, the location of Food Service Establishments, and any correlation between the two.
<b>FOG Control Program</b>	The FOG Control Program required by and developed pursuant to RWQCB Order No. R8-2002-0014, Section (c)(12)(viii).
<b>FOG Control Program Manager</b>	The individual designated by OC San to administer the FOG Control Program. The FOG Control Program Manager is responsible for all determinations of compliance with the program, including approval of discretionary variances and waivers.
<b>FOG Wastewater Discharge Permit</b>	A permit issued by OC San subject to the requirements and conditions established by OC San that authorizes the permittee or discharger to discharge wastewater into OC San’s facilities or into sewer facilities which ultimately discharge into an OC San facility.

<b>Food Grinder</b>	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 it in the sewer system.
<b>Food Service Establishment</b>	Facilities defined in California Uniform Retail Food Service Establishments Law (CURFFL) Section 113785, and any commercial entity within the boundaries of OS San, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in CURFFL Section 113785. A <b>limited food preparation establishment</b> is not considered a Food Service Establishment when engaged only in reheating, hot holding, or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.
<b>Grease Control Device</b>	Any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. "Grease control device" may also include any other proven method to reduce FOG subject to the approval of OC San.
<b>Grease Disposal Mitigation Fee</b>	A fee charged to an Owner/Operator of a Food Service Establishment when there are physical limitations to the property that make the installation of the usual and customary grease interceptor or grease control device for the Food Service Establishment under consideration, impossible or impracticable. The Grease Disposal Mitigation Fee is intended to cover the costs of increased maintenance of the sewer system for inspection and cleaning of FOG and other viscous or solidifying agents that a properly employed grease control device would otherwise prevent from entering the sewer system.
<b>Grease Interceptor</b>	A multi-compartment device that is constructed in different sizes and is generally required to be located, according to the California Plumbing Code, underground between a Food Service Establishment and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. These devices must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner on regular intervals to be effective.
<b>Grease Trap</b>	A grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible or impracticable.
<b>Hot Spots</b>	Areas in sewer lines that have experienced sanitary sewer overflows or that must be cleaned or maintained frequently to avoid blockages of the sewer system.
<b>Inspector</b>	A person authorized by OC San to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.
<b>Interceptor</b>	A grease interceptor.
<b>Manifest</b>	That receipt which is retained by the generator of wastes for disposing recyclable wastes or liquid wastes as required by OC San.
<b>NPDES</b>	The National Pollutant Discharge Elimination System; the permit issued to control the discharge of liquids or other substances or solids to surface waters of the United States as detailed in Public Law 92-500, Section 402.

<b>New Construction</b>	Any structure planned or under construction for which a sewer connection permit has not been issued.
<b>Permittee</b>	A person who has received a permit to discharge wastewater into OC San's sewer facilities subject to the requirements and conditions established by OC San.
<b>Public Sewer</b>	A sewer owned and operated by OC San, or other local Public Agency, which is tributary to the OC San's sewer facilities.
<b>Regulatory Agencies</b>	Regulatory Agencies shall mean those agencies having regulatory jurisdiction over the operations of OC San, including, but not limited to: <ul style="list-style-type: none"> <li>a) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA).</li> <li>b) California State Water Resources Control Board (SWRCB).</li> <li>c) California Regional Water Quality Control Board, Santa Ana Region (RWQCB).</li> <li>d) South Coast Air Quality Management District (SCAQMD).</li> <li>e) California Department of Health Services (DOHS).</li> </ul>
<b>Regional Water Quality Control Board (RWQCB)</b>	Agency which issued the Waste Discharge Requirements, Order No. R8-2002-0014 requiring agencies to control and prevent sewer spills.
<b>Remodeling</b>	A physical change or operational change causing generation of the amount of FOG that exceeds the current amount of FOG discharge to the sewer system by the Food Service Establishment in an amount that alone or collectively causes or creates a potential for SSOs to occur; or exceeding a cost of \$50,000 to a Food Service Establishment that requires a building permit, and involves any one or combination of the following: (1) Under slab plumbing in the food processing area, (2) a 30% increase in the net public seating area, (3) a 30% increase in the size of the kitchen area, or (4) any change in the size or type of food preparation equipment.
<b>Sample Point</b>	A location approved by OC San, from which wastewater can be collected that is representative in content and consistency of the entire flow of wastewater being sampled.
<b>Sampling Facilities</b>	Structure(s) provided at the user's expense for OC San or user to measure and record wastewater constituent mass, concentrations, collect a representative sample, or provide access to plug or terminate the discharge.
<b>Sanitary Sewer Overflows (SSOs)</b>	Sewer spills.
<b>Sewer Facilities or System</b>	Any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater and sludge.
<b>Sewer Lateral</b>	A building sewer as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system.
<b>Sewer System Management Plan (SSMP)</b>	Plan for managing the sewer collection system.
<b>Sludge</b>	Any solid, semi-solid or liquid decant, subnate or supernate from a manufacturing process, utility service, or pretreatment facility.

<b>Twenty-five percent (25%) Rule</b>	Requirement for grease interceptors to be maintained such that the combined FOG and solids accumulation does not exceed 25% of the design hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume is maintained to effectively intercept and retain FOG discharged to the sewer system.
<b>User</b>	Any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer system. User shall mean the same as Discharger.
<b>Waste</b>	Sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.
<b>Waste Discharge Requirements (WDR)</b>	Order that required sewerage agencies to control and prevent sewer spills and to develop a Sewer System Management Plan.
<b>Waste Minimization Practices</b>	Plans or programs intended to reduce or eliminate discharges to the sewer system or to conserve water, including, but not limited to, product substitutions, housekeeping practices, inventory control, employee education, and other steps as necessary to minimize wastewater produced.
<b>Waste hauler</b>	Any person carrying on or engaging in vehicular transport of waste as part of, or incidental to, any business for that purpose.
<b>Wastewater</b>	The liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer.
<b>Wastewater Constituents and Characteristics</b>	The individual chemical, physical, bacteriological, and other parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.
<b>Yellow Grease</b>	FOG after it has been used for cooking.

## **Appendix F4**

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### FOG Issues: Frequently Asked Questions

## FACT SHEET

# Fats, Oils, and Grease (FOG) Issues: Frequently Asked Questions

The following are frequently asked questions intended to provide general information regarding issues related to Fats, Oils, and Grease (FOG) discharges from Food Service Establishments in the Orange County Sanitation District FOG Control Program.

### *What is FOG?*

- FOG stands for Fats, Oils, and Grease from food preparation, food service, and kitchen clean up. It is generated in most types of restaurants and food service establishment kitchens.

### *What is the main source of FOG from kitchen operations?*

- FOG discharges are predominantly generated from washing and cleaning operations and not from fryolators or deep-frying units as most people might think. The pot washing sink, pre-rinse station prior to dishwasher, trenches and floor drains fed by

soup kettles, automatic and manual ventilation hoods, etc., are the major sources of grease discharges to the sewer system.

### *Why is the discharge of FOG a problem?*

- When poured down the drain, FOG from food preparation operations solidifies on the inside of sewers restricting the flow of sewage, similar to the way that cholesterol restricts the flow of blood through arteries and veins. Sewer blockages have resulted from this grease build up, causing raw sewage to backup into streets, homes, and businesses.
- FOG can build up over time in pipes, pumps, and equipment, causing significant problems to OC San's sewer collection system. Sewer line blockages that lead to sewer overflows (sewage spills) can cause environmental and health hazards.

### *Why is the issue of sewage spills important?*

- Sewage spills contain disease-causing bacteria, viruses, and other human health pathogens that can easily be transported to recreational

waterways, such as Orange County's beaches, jeopardizing public health.

### ***Is there a law against sanitary sewer overflows?***

- Yes. The federal Clean Water Act and comparable state water quality regulations prohibit wastewater discharges into the waters of the state without a permit. A sanitary sewer overflow that ends up in a storm drain is an example.

### ***What is being done to prevent FOG related sanitary sewer overflows?***

- The California Regional Water Quality Control Board (Santa Ana Region) issued an order (Order No. R8-2002-0014) in April 2002 that mandates cities and sewerage agencies to prevent sewage spills caused by grease blockages.
- To comply with this order, OC San implemented a FOG Source Control Program for Food Service Establishments, such as restaurants, in the City of Tustin and unincorporated areas within OCSD's Area 7. To establish legal authority for implementing this program, OC San adopted a FOG Ordinance.

### ***What is the objective of OC San's FOG Source Control Program?***

- The objective of OC San's FOG Source Control Program is to reduce FOG discharges to the sewer system to prevent sewage spills and protect public health and the environment by regulating the discharge of FOG from Food Service Establishments. FOG Wastewater Discharge Permits will be issued to enforce the requirements and prohibitions of the FOG Ordinance. See fact sheet on "FOG Source Control Program."

### ***What is required by the FOG Wastewater Discharge Permit?***

- The permit will require, among other things, implementation of kitchen Best Management Practices (BMPs), and installation of grease interceptors to reduce FOG discharge into OC San's sewer system. See fact sheet on "FOG Source Control Program and FAQs."

### ***Are all Food Service Establishments required to have a grease interceptor?***

- At this time, waivers from the grease interceptor requirement will be issued to most of the Food Service Establishments, except for the following:
  - Newly constructed FSEs.

- FSEs that undergo remodeling or a major change in operations.
- FSEs that have caused or contributed to grease-related blockages in the sewer system, or which have sewer laterals connected to hotspots, or which have been determined to contribute significant FOG to the sewer system based on inspection or sampling.

### ***Why should I care about FOG?***

- FOG related sewer overflows are costly to clean up, and may expose restaurant customers or employees, food service workers, and others to health risks. Food Service Establishments may also be subject to temporary closure and potential liabilities.
- Food Service Establishments are significant contributors of FOG in the sewer lines because of the amount of grease produced during cooking, food preparation, and kitchen cleaning. Problems caused by these establishments have served as the basis for ordinances and regulations governing the discharge of FOG to the sewer system.
- A Food Service Establishment found in noncompliance with the conditions of its permit and the FOG Ordinance is subject to enforcement actions that may include, but is not limited to, noncompliance fees, permit suspension, and permit revocation.

### ***What are the plans to address the residential and industrial FOG contributions?***

- OC San also recognizes that there are FOG discharges from residential and industrial facilities. Residents will be covered under a new FOG Public Outreach program, including TV, newspaper, and radio ads, and industrial facilities are already subject to industrial wastewater discharge permits.

### ***Whom do I contact regarding FOG related issues?***

#### **FOG Source Control Program Permit and Enforcement:**

Lori McKinley (FOG Source Control Program)  
(714) 593-7505  
[lmckinley@ocsan.gov](mailto:lmckinley@ocsan.gov)

#### **Website:**

**[www.ocsan.gov/businesses/source-control-industrial-wastewater-permits/fats-oil-grease-permit](http://www.ocsan.gov/businesses/source-control-industrial-wastewater-permits/fats-oil-grease-permit)**



## **Appendix F5**

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### **FOG Source Control Program**

## FACT SHEET

# Fats, Oils, and Grease (FOG) Source Control Program

Fats, Oils, and Grease (FOG) discharged by residential, commercial, institutional, and industrial users present a significant problem to the wastewater collection and treatment systems, causing sewer blockages resulting to sewer overflows (spills).

To address this problem, the Orange County Sanitation District (OC San) has established a FOG Source Control Program and an Ordinance to regulate Food Service Establishments, which discharge FOG into the sewer system.

The FOG Source Control Program was implemented on January 1, 2005.

## What is the Program Objective?

The objectives of OC San's FOG Source Control Program for Food Service Establishments are to reduce FOG discharges into the sewer system, prevent sewage spills, and protect public health and the environment. These objectives are in accordance with the California Regional Water Quality Control Santa Ana Region's (SARWQCB) mandate. Food Service Establishments are significant FOG contributors and must share the responsibility for reducing FOG discharges.

## What are the Major Requirements of the Program?

- All Food Service Establishments that discharge FOG into the sewer system are required to obtain a FOG Wastewater Discharge Permit. An annual permit fee of \$100 is proposed. However, a limited food preparation establishment is not considered a Food Service Establishment and is exempt from obtaining a FOG Discharge Permit. Exempted establishments are grouped according to limited food preparation activities that do not produce wastewater containing a significant amount of FOG. These activities include reheating, hot holding, or assembly of ready-to-eat food products. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.
- All Food Service Establishments are required to implement Best Management Practices (BMPs) in their operations to minimize the discharge of FOG to the sewer system.
- All Food Service Establishments are required to pretreat their wastewater using grease interceptors to remove FOG prior to discharge to the sewer system. However, most Food Service Establishments are granted temporary waivers from this requirement for three years, and the waivers may be re-issued on a case-by-case basis. A waiver may not be issued for:
  1. Newly constructed Food Service Establishments;
  2. Food Service Establishments that undergo remodeling or a major change in operations; and
  3. Food Service Establishments that have caused or contributed to grease-related blockage in the sewer

system, or that have sewer laterals connected to hotspots, or that have been determined to contribute significant FOG to the sewer system based on inspection or sampling.

- Variances may be issued to allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of grease interceptors. However, Food Service Establishments must demonstrate and justify that it is impracticable to install, operate, or maintain grease interceptors.
- All Food Service Establishments required by OC San to install grease interceptors or equivalent devices are required to properly operate and maintain the pretreatment system.

## How does OC San Implement the Program?

- Implement and enforce the FOG Ordinance that specifies general prohibitions and restrictions on FOG discharges;
- Administer enforcement measures and costs associated with FOG discharge and blockages;
- Administer a permit program to regulate wastewater discharges from Food Service Establishments;
- Track compliance through inspection of Food Service Establishments, review kitchen Best Management Practices (BMPs) and Grease Interceptor Maintenance Practices, and monitor wastewater discharges;
- Evaluate and screen the results of inspection and reports to ensure compliance with FOG requirements;
- Consistently respond to all types of violations to ensure long-term compliance; and
- Work with Food Service Establishments, when applicable, to evaluate options to pretreat wastewater to reduce FOG prior to discharge to the sewer system.

## What are the Bases for Establishing the Requirements?

In developing the requirements for the FOG Source Control Program, OC San considered the following:

- Technical Findings of the Hotspot Characterization and the Food Service Establishment Characterization Studies: In order to establish reasonable requirements in reducing FOG discharge, OC San conducted characterization studies to thoroughly understand the nature of the FOG problem within OC San's Area 7 (includes the City of Tustin and some other unincorporated areas.) These studies helped identify all Food Service Establishment within OC San's Area 7 that are potential and specific sources of FOG discharges. The studies also provided valuable information on causes and preventions of sewage spills associated with FOG discharges. In addition, an evaluation of existing FOG control technologies was conducted.
- Case-by-Case Considerations vs. "One size fits all": Food Service Establishments were evaluated individually to determine specific requirements that are applicable and appropriate towards achieving the desired environmental results.
- Balance between Cost and Environmental Benefits: To ensure that the Food Service Establishments are not financially burdened by OC San's FOG Source Control Program, OC San's established requirements that are cost effective and balanced to achieve reasonable environmental benefits.
- Issuance of Waivers and Variances: To account for flexibility during the FOG Source Control Program implementation, OC San allowed for situations where extenuating circumstances allowed Food Service Establishment to forego installing grease interceptors.
- Experiences from other FOG Source Control Programs nationwide: OC San evaluated several FOG Source Control Programs nationwide and used program elements/requirements that have been found to be effective and appropriate for our local setting.

## What Plans Addressed the Residential FOG Contribution?

After initial implementation of the FOG Source Control Program for Food Service Establishments, OCSD will embark on a residential outreach program that will educate and inform city residents about the effects of discharging FOG into the sewer system.

## **Appendix F6**

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### FOG Source Control Program Frequently Asked Questions

## FACT SHEET

# Fats, Oils, and Grease (FOG) Source Control Program Frequently Asked Questions (FAQs)

The Orange County Sanitation District (OC San) adopted a Fats, Oils, and Grease (FOG) Ordinance effective on January 1, 2005. Concurrently, OC San implemented a FOG Source Control Program to regulate discharges from Food Service Establishments (FSEs) such as restaurants. Following are frequently asked questions from FSEs impacted by this program.

### *Are Food Service Establishments (FSEs) required to have permits to discharge to the sewer system?*

- Yes. As of January 1, 2005, it became illegal for FSEs to discharge to the sewer system without a valid FOG Wastewater Discharge Permit (permit).

### *Is there any exemption from this permit requirement?*

- Yes. Limited food preparation establishments are not considered FSEs and are exempt from obtaining a permit. Limited food preparation establishments are those that are engaged only in reheating, hot holding or assembly of ready-to-eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG.

### *Is there a permit fee and how much?*

- Yes. There is a \$100 annual permit fee and a \$100 noncompliance fee for each instance of noncompliance to recover the costs of program administration.

### *Are there additional fees?*

- No. Currently, FSEs are already paying user charges for treatment of wastewater discharged to the sewer, as part of their property taxes. There are no new fees other than the permit fee and the existing user charges.

### *What are the major requirements of the permit?*

To reduce FOG discharges to the sewer from FSEs, following are the major requirements of the permit:

- FSEs are required to implement Best Management Practices (BMPs) in their operations to minimize the discharge of FOG to the sewer system.

- FSEs are required to pretreat their wastewater using grease interceptors to remove FOG prior to discharge to the sewer system. Most FSEs are granted waivers from this requirement; waivers may be re-issued or revoked on a case-by-case basis. Variances may also be issued to allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of grease interceptors, to FSEs able to demonstrate that it is impossible or impracticable to install, operate, or maintain grease interceptors.
- All Food Service Establishments required to install grease interceptors or equivalent devices is required to properly operate and maintain the pretreatment system.

### ***What are Best Management Practices (BMPs)?***

- BMPs are schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the introduction of FOG to the sewer system. OC San will provide educational outreach material to FSEs regarding implementation of BMPs.
- BMPs help reduce the amount of FOG and solids going to grease interceptors resulting in less frequent cleaning, thus reducing maintenance costs.

### ***Are all FSEs required to implement BMPs?***

- Yes. Implementation of BMPs is a basic and necessary requirement for all FSEs. The best way to stop FOG from building up in the sewer lines is to prevent it from entering the drains using kitchen BMPs. Implementation of BMPs may involve some minor expense to properly and consistently prevent FOG from getting discharged to the sewer system. BMPs are proven effective and economical tools to control FOG at the source.

### ***Are FSEs required to install grease interceptors?***

- Although the Ordinance requires FSEs to install grease interceptors, this requirement may be waived; Waivers will be issued to most FSEs, except for the following:

- Newly constructed FSEs.
  - FSEs that undergo remodeling or a major change in operations.
  - FSEs that have caused or contributed to grease-related blockage in the sewer system, or which have sewer laterals connected to hotspots, or which have been determined to contribute significant FOG to the sewer system based on inspection or sampling.
- Waivers may be re-issued for those FSEs that have insignificant impact or may be revoked at any time when the FSE is determined to have significant impact.

### ***Are FSEs going to be inspected by OC San?***

- Yes. OC San will conduct inspections of FSEs as part of its enforcement program to determine compliance with the Ordinance and permit requirements. Inspections will be conducted to evaluate the following:
  - Compliance with kitchen BMP requirements
  - Compliance with grease interceptor requirements for those who are required to have a grease interceptor.
- In lieu of routine kitchen inspections to evaluate implementation of BMPs, FSEs may submit BMP Monitoring Reports semi-annually describing BMPs in place. Details are provided in the permit.
- Grease interceptors will be inspected on a routine basis to evaluate compliance with the pump-out and maintenance requirements.

### ***Are there penalties for noncompliance?***

- Yes. Any person who violates any provision of the FOG Ordinance; or any permit condition, prohibition or effluent limitation; or any suspension or revocation order shall be liable civilly for a penalty pursuant to Article 6 of the FOG Ordinance, for each day in which such violation occurs.
- OC San, by Order of the General Manager, may physically terminate sewer service on a term of any order of suspension or revocation of a permit or upon the failure of a person not holding a valid wastewater discharge permit to immediately cease discharge, whether direct or indirect, to OC San's sewer facilities after due notification.

## **Appendix F7**

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### **FOG Prohibitions**

## FACT SHEET

# Prohibitions Relating to Discharge of Fats, Oils, and Grease (FOG)

The following prohibitions apply to all Food Service Establishments:

Prohibitions	Reason
<p><b>Use of food grinders.</b> Installation of food grinders in the plumbing system of new constructions of Food Service Establishments is prohibited. Furthermore, all food grinders shall be removed from all existing Food Service Establishments within 180 days after notification, except when expressly allowed by the FOG Control Program Manager.</p>	<p>Eliminating food grinders (garbage disposal) will reduce the volume of solids that enter a grease interceptor or the sewer. Food wastes that accumulate in the grease interceptor occupy space used to separate and remove grease, resulting in an increased cleaning frequency requirement, waste hauling costs, and potential blockages.</p>



<p><b>Use of additives.</b> Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the FOG Control Program Manager is obtained.</p>	<p>Emulsifiers hinder FOG separation by dispersing FOG in the wastewater, which directly conflicts with the grease interceptor's role in separating and removing grease. Additives may also cause the interceptor to discharge its contents to the sewer.</p>
<p><b>Disposal of waste cooking oil into drainage pipes.</b> All waste cooking oils shall be collected and stored properly in receptacles, such as barrels or drums, for recycling or other acceptable methods of disposal.</p>	<p>Disposal of waste cooking oil to the sewer will cause blockages. Recyclers in Orange County may recycle waste cooking oil. This is an opportunity for cost recovery.</p>
<p><b>Discharge of wastewater from dishwashers to any grease trap or grease interceptor.</b></p>	<p>Dishwashers that utilize temperatures in excess of 140°F will dissolve grease, which then resolidifies in the sewer as the water cools. This does not necessarily apply to dishwashers that use water temperatures less than 140°F.</p>
<p style="text-align: center;"><b>Prohibitions</b></p>	<p style="text-align: center;"><b>Reason</b></p>
<p><b>Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors.</b></p>	<p>Temperatures in excess of 140°F will dissolve grease, which then resolidifies in the sanitary sewer as the water cools.</p>
<p><b>Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service, or vice versa.</b></p>	<p>Grease interceptors are intended to separate and remove FOG and should not contain other wastes that will interfere with its operations and maintenance.</p>
<p><b>Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system.</b> Grease removed from grease interceptors shall be wastehauled periodically as part of the operation and maintenance requirements for grease interceptors.</p>	<p>This defeats the purpose of the interceptor. Accumulated grease, solids, and wastewater removed from interceptors must be properly disposed offsite periodically as part of the operation and maintenance requirements.</p>
<p><b>Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the total design hydraulic depth of the grease interceptor (25% Rule).</b></p>	<p>This is to ensure that the minimum hydraulic retention time and required hydraulic volume are maintained to effectively intercept and retain FOG discharged to the sewer system.</p>

## **Appendix F8**

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### **General Best Management Practices for FOG**

## FACT SHEET

# General Best Management Practices for Fats, Oils, and Grease

Residual fats, oils, and grease (FOG) are byproducts that food service establishments (FSE) must constantly manage. Typically, FOG enters a facility's plumbing system from ware washing, floor cleaning, and equipment sanitation. Sanitary sewer systems are neither designed nor equipped to handle the FOG that accumulates on the interior of the municipal sewer collection system pipes. A large percentage of Orange County's sanitary sewer overflows (sewer spills) are the result of pipe blockages from FOG accumulation from residential, institutional, and commercial sources. The best way to manage FOG is to keep the material out of the plumbing systems. The following are suggestions for proper FOG management.

## Wet Cleanup - The Status Quo

It is common practice in the food service industry to use a water hose as a broom, and wash everything on the floor to the drain as a method of disposal. This method not only forces FOG into the wastewater stream, but also results in foods, detergents, disinfectants, waxes, insecticides and other chemicals entering the sewer system. Even worse than this mixed wastewater entering the sewer system, it is sometimes hosed into the storm drain, where it goes directly into our waterways unfiltered and untreated - the same waterways we use for recreation, fishing, and to supply our drinking water. This practice is not only harmful to the environment, but it may be illegal, resulting in fines or even jail.

# Dry Cleanup - The Better Way!

Rather than resort to the wet cleanup method of cleaning, OC San recommends the dry cleanup method. The "first pass" in equipment and utensil cleaning should be made with scrapers, squeegees, or absorbents to prevent the bulk of food materials from going down the drain. Do not pour grease, fats, or oils from cooking down the drain and do not use sinks to dispose of food scraps. Likewise, it is important to educate kitchen staff not to remove drain screens as this may allow paper or plastic cups, straws, and other utensils to enter the plumbing system during cleanup. The success of dry cleanup is dependent upon the behavior of the employees and availability of the tools for removal of food before washing. To practice dry cleanup:

- Use rubber scrapers to remove FOG from cookware, utensils, chafing dishes, and serving ware.
- Use food grade paper to soak up oil and grease under fryer baskets.
- Use paper towels to wipe down work areas. Cloth towels will accumulate grease that will eventually end up in your drains from towel washing/rinsing.
- Use kitty litter to absorb liquid spills. Sweep and dispose of the liner in the trash, as long as the spilled material is not a hazardous material.

## Spill Prevention

Preventing spills reduces the amount of waste on food preparation and serving areas that will require clean up. A dry workplace is safer for employees in avoiding slips, trips, and falls. For spill prevention:

- Empty containers before they are full to avoid spills.
- Use a cover to transport interceptor contents to rendering barrels.
- Provide employees with the proper tools (ladles, ample containers, etc.) to transport materials without spilling.
- Keep a spill kit in food preparation areas.

## Maintenance

Maintenance is key to avoiding FOG blockages. For whatever method or technology is used to collect, filter and store FOG, ensure that equipment is regularly maintained. All staff should be aware of and trained to perform correct cleaning procedures, particularly for

undersink interceptors that are prone to break down due to improper maintenance. A daily and weekly maintenance schedule is highly recommended.

- Contract with a management company to professionally clean large hood filters. Small hoods can be hand-cleaned with spray detergents and wiped down with cloths. Hood filters can be effectively cleaned by routinely spraying them with hot water with little or no detergent over the mop sink, which should be connected to a grease trap. After the hot water rinse (separately trapped), filter panels can go into the dishwasher. For hoods to operate properly in the removal of grease-laden vapors, the ventilation system will also need to be balanced with sufficient make-up air.
- Skim/filter fryer grease daily and change oil when necessary. Use a test kit provided by your grocery distributor rather than simply a "guess" to determine when to change oil. This extends the life of both the fryer and the oil. Build-up of carbon deposits on the bottom of the fryer acts as an insulator that forces the fryer to heat longer, thus causing the oil to break down sooner.
- Collect fryer oil in an oil-rendering tank for disposal or transport it to a bulk oil-rendering tank instead of discharging it into a grease interceptor or waste drain.
- Cleaning intervals depend upon the type of food establishment involved. Some facilities require monthly or once every two months cleaning. Establishments that operate a large number of fryers or handle a large amount of fried foods such as chicken, along with ethnic food establishments may need at least monthly cleanings.
- Develop a rotation system if multiple fryers are in use. Designate a single fryer for products that are particularly high in deposits, and change that one more often.

## Oil & Grease Collection/Recycling

FOG is a commodity which if handled properly can be treated as a valuable resource. See Fact Sheet on Restaurant Oil and Grease Rendering.

## Garbage Disposal

Businesses that use garbage disposals to dispose of food waste are simply transferring disposal from a landfill disposal to a wastewater treatment plant.

Disposal of food waste via the sewer system is more costly than landfill disposal and acts as a disincentive to reduce generation of food waste or to separate food for donations, rendering, animal feed, or composting. Many business owners assume that water from their garbage disposal flows through their grease trap before discharge to the sewer system; however, in most cases, disposals are actually plumbed directly to black water systems, which bypass the grease trap.

## Consumer Tip

Buyers beware! When choosing a method of managing your oil and grease, ensure that it does what the vendor says it will do. Some technologies or “magic bugs” do not eliminate the problem but result in grease accumulations further down the sewer line. “Out of sight” is not out of mind.” Check the vendor's references before investing in technological and biological management methods.

## **Appendix F9**

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### **Kitchen Best Management Practices**

**FACT SHEET**

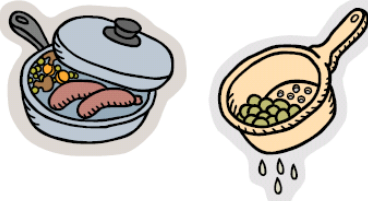
# Kitchen Best Management Practices (BMPs) for Fats, Oils, and Grease (FOG)

The best way to stop FOG from building up in sewer lines is to prevent it from entering your drains, by using “Kitchen Best Management Practices.” The most common Kitchen BMPs are listed below.




<b>Kitchen BMP</b>	<b>Reason For</b>	<b>Benefits to Food Service Establishment</b>
<p>Train employees in kitchen BMPs, including the proper methods of FOG disposal. Provide frequent refresher training as well.</p>	<p>Employees are more willing to support an effort if they understand the importance of implementing BMPs to prevent sewer spills.</p>	<p>Subsequent benefits of BMPs will have a better chance of being implemented.</p>



<p style="text-align: center;"><b>Kitchen BMP</b></p>	<p style="text-align: center;"><b>Reason For</b></p>	<p style="text-align: center;"><b>Benefits to Food Service Establishment</b></p>
<p>Display the appropriate “No Grease” signs or posters prominently in the workplace.</p>	<p>Signs serve as a constant reminder for employees working in kitchens.</p>	<p>These reminders will help minimize grease discharge to the traps and interceptors and reduce the cost of cleaning and disposal.</p>
<p>Install screens on all kitchen drains. Consider openings that are not more than 3/16 inch. Screens should be removable for frequent cleaning.</p>	<p>Drain screens prevent food particles containing FOG from entering into the sewer system and causing sewer blockages.</p>	<p>This will reduce the amount of material going to grease traps and interceptors. As a result, grease traps and interceptors will require less frequent cleaning, thus reducing maintenance costs.</p>
<p>Hot water over 140°F from cooking or cleaning operations should not be put down a drain that is connected to a grease trap or grease interceptor.</p>	<p>Temperatures in excess of 140°F will dissolve grease, which may re-congeal or solidify in the sanitary sewer collection system as the water-cools down in temperature.</p>	<p>Using water less than 140°F where applicable will reduce gas or electric energy costs for heating the water. This will also help prevent FOG “pass through” in grease interceptors.</p>
<p>When transporting used FOG, don't overfill containers and use covers.</p>	<p>If containers are overfull or lack covers, the FOG may spill over.</p>	<p>This will prevent FOG drips and spills.</p>
<p>Pour all cooking grease (yellow grease) and liquid oil from pots, pans and fryers into a covered grease container for recycling. Use a permitted waste collection service or authorized rendering/recycling center and keep a log.</p>	<p>Recycling reduces the amount of FOG discharged to the sewer. There are several waste oil rendering facilities throughout Southern California (reference Restaurant Oil and Grease Rendering Fact Sheet).</p>	<p>The Food Service Establishment may be paid for the waste material, reducing the amount of waste/garbage it must pay to have it hauled away.</p>
<p>Scrape or dry-wipe excess food and solidified grease from pots, pans, fryers, utensils, screens and mats, then dispose of it in the trash.</p>	<p>By dry-wiping pots, pans, and dishware and disposing food wastes in garbage receptacles, the material will not be sent to the grease traps and interceptors, but instead go to the landfill.</p>	<p>This will reduce the amount of material going to grease traps and interceptors, which will require less frequent cleaning, thereby reducing maintenance cost.</p>





<p style="text-align: center;"><b>Kitchen BMP</b></p>	<p style="text-align: center;"><b>Reason For</b></p>	<p style="text-align: center;"><b>Benefits to Food Service Establishment</b></p>
<p>Dispose of food waste by recycling and/or solid waste removal.</p> 	<p>Some recyclers will take food waste for animal feed. In the absence of such recyclers, the food waste can be disposed as solid waste in landfills by solid waste haulers.</p>	<p>Recycling of food waste will reduce the cost of solids waste disposal. Solid waste disposal of food waste will reduce the frequency and cost of grease trap and interceptor cleaning.</p>
<p>Use "Spill Kits" – make your own spill kits with absorbent material such as absorbent pads or kitty litter. Keep them well-marked and accessible for cleaning spills. Dispose of used absorbent in the trash. Designate a key employee on each shift to monitor cleanup and restock the kits.</p> 	<p>Absorbent materials can serve as an effective agent to absorb grease and oil.</p>	<p>This will reduce the amount of material going to grease traps and interceptors, which will require less frequent cleaning, reducing maintenance costs.</p>
<p>Routinely clean kitchen exhaust system filters/hoods. Dispose of waste from hoods and filters by emptying it into a drain connected to a grease interceptor if you have one, or have the hoods professionally maintained.</p> 	<p>If grease and oil escape through the kitchen exhaust system, it can accumulate on the roof of the establishment and eventually enter the storm drain system when it rains.</p>	<p>The discharge of grease and oil to the storm drain system will degrade the water quality of receiving streams. In addition, it is a violation of water quality regulations, which might result in legal penalties or fines.</p>

## **Appendix F10**

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### Managing Food Materials

## FACT SHEET

# Managing Food Materials

According to the U.S. Department of Agriculture (USDA), food waste is estimated at between 30-40 percent of the food supply. This fact sheet is provided to encourage businesses such as food service providers, processors, distributors, and merchandisers to eliminate waste and recover/recycle food materials.

Food waste can produce many environmental impacts. For example, food materials discharged to a wastewater treatment plant will dramatically increase the cost of wastewater treatment, and if released into storm drains, will significantly impact a creek or river's ability to sustain aquatic life forms. Also, food materials discarded into the solid waste stream contribute to odor and the creation of greenhouse gases at disposal facilities. EPA and USDA estimate that diverting food residuals from landfills would improve air quality as much as taking 1,000,000 cars off American roads. Finally, food residuals in landfills serve as the catalyst for generation of leachate - the toxic soup that often drains from landfill into our drinking water aquifers.

Examples of what are considered food "residuals" include: preparation wastes, uneaten portions, grease, batter waste, dairy products, beverages containing sugar, and dressings. These food materials are excellent candidates for reduction, recovery, and reuse. Reducing materials at their source, coupled with recovery, reuse, and recycling prevents pollution and reduces, and in some cases eliminates, treatment and disposal cost. A successful waste reduction program

can result in cost savings and possible generation of revenues. These activities also contribute to a positive public image for the company, benefits to the community, and protection of the environment.

## Reduction at the Start: Ordering and Inventory Controls

Perhaps the most effective method for reducing waste is to prevent it in the first place. Proper control of raw goods, final products, and the waste streams associated with food preparation is an important source reduction technique. Improved ordering and inventory control significantly affect three major sources of waste resulting from improper inventory control: excess, out-of-date, and obsolete raw goods. Below are options for reduction at the start:

- Order bulk supplies.
- Terminate useless packaging from the vendor.
- Refuse samples that will become waste.
- Work with suppliers to return shipping materials and packaging.
- Purchase reusable items.
- Purchase only the amount of raw goods needed for a set period of time. This practice will help eliminate out-of-date and excess goods and products.
- Develop a review and approval procedure for all raw goods and products purchased. The primary purchaser can regulate the quantity of materials

purchased by other personnel to reduce excess and out-of-date inventory.

- Clearly label all materials. Labels can indicate contents, storage/handling, and expiration dates.
- Rotate perishable stocks at every delivery to minimize waste from spoilage, i.e., first-in, first-out.
- Consider offering half or smaller portions as an option, to reduce the amount of uneaten food.
- Develop an hourly or daily production chart to minimize over-prepping and unnecessary waste.
- Store leftover hot foods from different stations in separate containers rather than consolidating them to minimize the chance of spoilage.

## Donation of Food Material

Currently do you have excess edible food? Think of how that food could be used to help someone in need. In 2020, 38 million Americans lived in households that suffer from hunger or food insecurity. Food donation programs such as the Orange County Food Bank make donating simple. They can be contacted at (714) 897-6670. By donating food it helps achieve a winning menu of opportunity, halting a program where your staff can feel proud of being part of helping a neighbor in need, reduce food waste cost (recycling), and being good community partners.

## Segregate Food Wastes for Beneficial Uses

To increase their recyclable potential, food materials should be clean and free of trash such as paper, glass, and plastic. Also, depending upon the requirements of recyclers, solid food wastes should be separated from liquid food wastes to enhance their recyclability.

## Rendering

Free grease is grease that has not been mixed with water. It is largely generated from pots, pans, grills, and deep fat fryers and comes from butter, lard, vegetable fats and oils, meats, nuts, and cereals. If kept out of the drains and handled separately, free grease may be rendered. Rendering facilities may purchase free grease and provide storage and collection. The market price depends upon factors such as volume, quality,

and hauling distances. See fact sheets for Restaurant Oil and Grease Rendering and Best Management Practices for Fats, Oils, and Grease for further detail about management of grease.

## Composting Food Wastes

"A rind is a terrible thing to waste!" Composting is an excellent way to turn a costly disposal problem into a source of soil nutrient and potential income, reduce air and water pollution, and save landfill space. The use of compost in gardening and agriculture reduces soil runoff and reduces the need for using chemical fertilizers, which protects California's waterways.

Businesses interested in diverting waste to composting could open their own compost facility or investigate the possibility of using local government or private compost facilities already in operation.

## **Appendix F11**

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### **Food Service Waste Reduction**

## FACT SHEET

# Food Service Waste Reduction

Today's food service establishments are constantly looking for ways to improve productivity and trim costs. Waste in any operation is generated as result of inefficiencies, and therefore, reducing waste creates a more efficient operation. Solid waste disposal, energy consumption, and wastewater make up the majority of environmental challenges that restaurants must address as part of their business operations. This fact sheet is intended to provide tips on how food service establishments can reduce, reuse, and recycle these wastes.

## Benefits of Waste Reduction Programs

- **Good Business:** Generally, waste reduction leads to increased operating efficiency and cost savings. Decreased solid waste generation reduces collection and disposal costs just as reducing electricity and water reduces utility bills. Waste minimization also may reduce purchasing cost.
- **Good Stewardship:** California is challenged with maintaining its clean waters, air, and land. All Californians have a responsibility to themselves, fellow citizens, and future generations to maintain a clean environment.

- **Customer Satisfaction:** Surveys show that Americans are very concerned about the environment. They appreciate restaurants and other businesses that make efforts to be more environmentally aware - at the table and the way business is conducted.

After you implement waste reduction measures, give yourself credit! Your efforts will not only attract customers, they will encourage other businesses to follow your example.

## Implementing a Waste Reduction Program

Once a restaurant has made a commitment to reduce waste, the manager or waste reduction team should assess all operations, such as food preparation, food service, purchasing, and janitorial activities to identify opportunities to reduce waste and conserve water and electricity. Ideas for protecting the environment and realizing the cost benefits of waste reduction should be responsibilities of all employees in all job functions. Once waste reduction opportunities are identified, employees should be trained so they are comfortable with implementing the changes. Training should be repeated periodically to ensure that new employees are included. An employee suggestion and awards program can be established to maintain enthusiasm for the program. The remainder of this fact sheet lists specific activities that restaurants can undertake to reduce waste.

## Reduction and Reuse

- Avoid over-packaging for take-out orders.

- Place health department approved rubber mats around bus and dish washing stations to reduce china and glass breakage.
- Work with suppliers to take back and reuse corrugated cardboard boxes, five-gallon buckets, and other packaging - if they will not take them back, donate buckets to customers, local schools, or churches. Do not reuse for contact with food.
- Use approved refillable condiment bottles (only after being rewashed and sanitized) instead of single-use packages. Refill them from bulk containers.
- Use reusable dishes instead of Styrofoam or other disposable ware to save on long-term purchasing costs.
- Use reusable take-home trays for regular customers.
- For take-out orders, offer condiments and straws upon request instead of self-serve.
- For dining customers, use bulk straw dispensers instead of individually wrapped straws, and place napkin dispensers on tables rather than in the central part of the dining room-people will generally take 1/3 as many napkins.
- Reduce menu printing costs where possible, for example, by reusing menus, eliminating paper inserts, and using boards to post daily specials.
- Ask your carbonated beverage supplier to provide you with reusable syrup canisters rather than the bag-in-the box type of containers.
- Use roll-type paper towels (unbleached are usually cheapest) in restrooms instead of using pre-cut paper towels.
- Train employees on the proper use of cleaning agents for concentrates, and test for proper concentration. Most people use significantly more concentrate than is required to do the job.

## Recycling

- Establish glass, plastic, and cardboard recycling with a local collector.
- Share the cost of a cardboard baler for recycling with neighboring business.
- Make sure that staff is flattening tin and aluminum cans to reduce volume before placing in recycling bins.

## Purchasing

- Choose environmentally friendly cleaning products, and try to purchase cleaning agents in concentrate.
- Ask for and purchase products such as paper towels, toilet tissue, menus, order pads, cash register tapes, plastic bags, dish trays, rubber mats, brooms, and benches made from recycled materials.

## Electricity Conservation

- Develop and implement a cleaning and maintenance program for all equipment. This program should include calibrating ovens and checking pipes for leaks.
- Use energy-conserving fluorescent lights instead of the more common high-wattage bulbs.
- Use low-wattage bulbs in exit signs instead of the more common high-wattage bulbs.
- Clean refrigerator coils and change air conditioning filters regularly to help these appliances run more efficiently.
- Install motion or timer lights in restrooms, pantries, and freezer units. Lights can be set to go off after three to five minutes of inactivity.
- Set thermostats at reasonable levels.

## Water Conservation

- Clean spills with a squeegee, broom, or vacuum.
- Install low-flow faucet adapters, and/or automatic turnoff faucets, and low-flow toilets in restrooms. Of the total water used in restaurants, restroom water usage ranges from 50 percent in full-service restaurants to 80 percent in fast food restaurants.
- Never hose material down the drain. This practice not only wastes water, but it contributes to organic loading at the wastewater treatment plant.
- Provide drinking water to customers only upon request.
- Replace rubber faucet gaskets with brass gaskets and automatic shut off nozzles to save thousands of gallons/year.

# Fats, Oils, and Grease (FOG) Waste Management

The National Restaurant Association estimates that 20 percent of all food prepared commercially in the United States goes to waste, and grease is responsible for a large percentage of all sewer overflows in the country. The best way to manage FOG is to keep it out of the sewer system by using Best Management Practices (BMPs). BMPs are activities, prohibitions of practices, maintenance procedures, and other management practices that reduce the discharge of FOG from the wastewater discharge. For details, see Fact Sheet for Best Management Practices for Fats, Oils, and Grease.

Waste reduction offers costs savings that benefit both small and large operations. Once your waste reduction program is underway, track your waste reduction, cost savings, and get the word out! You do not have to do it all at once - choose actions that are doable, document your success, and then move on to the harder projects.



## **Appendix F12**

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### **Restaurant Oil and Grease Rendering**

## FACT SHEET

# Restaurant Oil and Grease Rendering

Improperly managed oil and grease from Food Service Establishments (FSEs) such as restaurants has become a significant problem for wastewater collection and treatment systems. Fats, oils, and grease (FOG) coat, congeal, and accumulate in pipes, pumps, and equipment, leading to the costly and hazardous flow of waste grease into drain lines, sewer lines, lift stations, drain fields, and Publicly Owned Treatment Works (POTWs). Improper disposal can result in high biological oxygen demand (BOD) and chemical oxygen demand (COD) levels, increased operating costs, and clogged collection systems. A large percentage of the reported sewer system overflow in Orange County is caused by FOG blockage of the sewers.

## Different Types of Oils and Grease

Recyclable grease is that used for or generated by cooking and has not been mixed with water. It is generated from pots, pans, grills, and deep fat fryers and comes from butter, lard, vegetable fat and oils, meats, nuts, and cereals. Recyclable grease should be kept out of the drains and handled separately. Rendering facilities may purchase recyclable grease

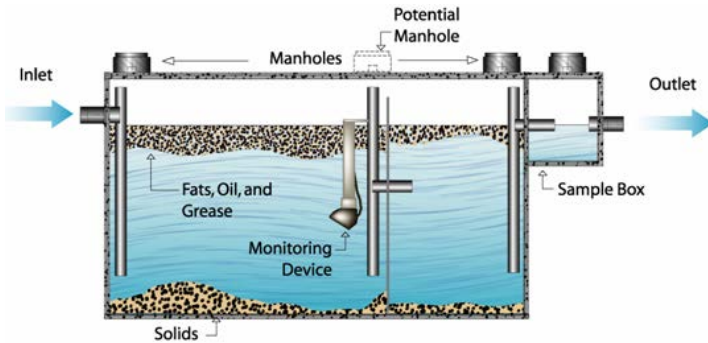
and meat wastes and provide storage and collection. The market price depends upon factors such as volume, quality, and hauling distances. The rendering services will process recyclable grease by sampling it for pesticides and other chemicals and filtering and volatilizing impurities before reselling it, where prices may range from one to three cents per pound. If the volume of the wastes generated from one FSE (restaurant or cafeteria) is too small for the rendering facility, businesses should explore the feasibility of setting up a cooperative collection among similar businesses.

Restaurant kitchen wastewater contains oil and grease that is collected in a grease interceptor. Because fats coat, congeal, and accumulate on pipes and pumps and sometimes obstruct sewer lines, food service establishments are required by most local governments to install and maintain grease interceptors. Specific information about grease interceptor maintenance is presented in the OC San's Fact Sheet for Grease Interceptor. Some rendering services and local septage haulers will service or pump out these grease interceptors for a fee, and some services may reduce the pumping fee if the FSE is a recyclable grease customer.

## Where Does Grease Go When It Leaves a Restaurant?

A grease interceptor is designed to prevent grease, oil, solids, and other debris from entering the wastestream, where it becomes a problem by clogging sewers and disrupting the water flow in the system. The grease interceptor captures those wastes and contains them

until a waste hauler or pumper service can properly dispose them.



A grease interceptor should be checked and maintained to ensure that it is working properly. Backups, odors, and drainage problems are signs that the grease interceptor is not functioning as it should. See OC San's Fact Sheet for Grease Interceptor for specific tips on proper maintenance of grease interceptors.

## Grease Recycling

While pretreating wastewater through the use of grease interceptors, skimmers, separators, and process flow treatment systems such as carbon filtration or coagulation units can greatly reduce the problem, source reduction of oil and grease must be the first course of action. Through dry cleanup and the development of an efficient collection system and rendering program, wastewater problems can be avoided. Rendering companies or "grease recyclers" will accept oil, grease, and other animal byproducts, including deep fry fat and bones, thereby turning a nuisance waste material into a beneficial product such as animal feed.

## How is Waste Oil and Grease Recycled?

Waste oil and grease is tested for pesticides and other contaminants. Material is placed in a settling tank to remove solids, heated in a vacuum to volatilize impurities and is then sold to companies for use as animal feed additives, in soap production, oils, cosmetic and skin care products, and in composting.

## Benefits of Rendering

- **Compliance** - Many communities have sewer use ordinances that severely limit the discharge of FOG in wastewater. New state policies are being enacted that will require more communities to

develop sewer use ordinances and wastewater discharge limitations. Penalties may be incurred when higher concentrations are found. Rendering prevents grease from reaching the sewer system and thereby helps FSEs maintain compliance.

- **Cost Avoidance** - The charge for pumping out a grease interceptor is considerably more than the service fee charged by a renderer. Furthermore, with dry cleanup and other source reduction techniques, many FSEs are reducing their water consumption and sewer use and are saving money. Rendering also helps FSEs avoid discharge penalty charges.
- **Economic Incentives** - Renderers' service fees are low and often provided at no charge. In some cases, rendering companies are willing to pay for oil and grease from FSEs.
- **Environmental Savings** - Natural resources and energy are conserved through source reduction and recycling. FOG recycling keeps these materials from clogging municipal sewer lines, as well as using valuable landfill space and diverts it to a useful purpose.

## Questions to Ask a Renderer

When looking for an oil and grease renderer, it is important to ask the right questions, which may include:

1. Do you provide collection containers?
2. Do you provide transportation?
3. Can I expect revenue for my material? If not, what is your service fee?
4. What are your specifications? What constitutes contamination?
5. If there is a problem, who should I contact?

Remember that FOG is a commodity and should be treated as a valuable resource that can and should be recycled whenever possible.

## Where to Find Renderers

Contact California's Department of Resources Recycling and Recovery (CalRecycle) at 800-RECYCLE (732-9253) for a list of grease renderers or visit their website: [www.calrecycle.ca.gov](http://www.calrecycle.ca.gov).

## **Appendix F13**

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### **Grease Interceptors**

# FACT SHEET

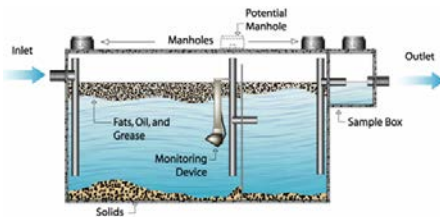
# Grease Interceptors

When fats, oils, and grease (FOG) enter the sewer, they create a variety of problems, such as sewer blockages and spills, which put the health and safety of the public at risk. Grease interceptors have played an important role in preventing accumulated FOG from clogging sewer lines. A grease interceptor is a proven and effective grease collection device, which when combined with Best Management Practices (BMPs), significantly reduces the amount of FOG entering the sewer.

## What is a Grease Interceptor?

- A grease interceptor is a control device that is designed to collect and intercept FOG and food waste from wastewater discharged from Food Service Establishments, until they can be removed and disposed by wastehauling. It is typically a large concrete box with two or three compartments and is usually installed underground outside Food Service Establishments.

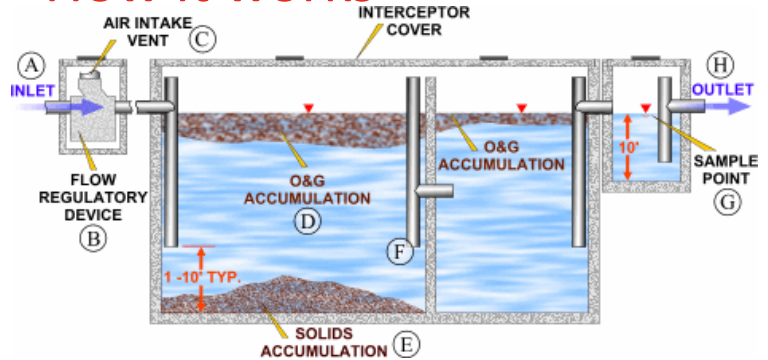
- Grease interceptors separate FOG from wastewater by gravity. Since FOG weighs less than water, the grease floats on the water surface



when given sufficient time.

- Grease interceptors are designed such that the wastewater flow is slowed down to allow sufficient time for FOG to separate. This allows FOG to collect as a thick mat on the surface inside the interceptor.

## How it works



The following describes how a grease interceptor works:

A	Flow from undersink grease traps or directly from plumbing fixtures enters the grease interceptor. The Uniform Plumbing Code (UPC) requires that all flow entering the interceptor must enter through the inlet pipe.
B	An approved flow control or restricting device is installed to restrict the flow to the grease interceptor to the rated capacity of the interceptor.
C	An air intake valve allows air into the open space of the grease interceptor to prevent siphonage and back-pressure.
D	FOG floats on the water surface and accumulates behind the grease retaining fittings and the wall separating the compartments. FOG will be removed during routine grease interceptor cleaning.
E	Solids in the wastewater that do not float will be deposited on the bottom of the grease interceptor and will need to be removed during routine grease interceptor cleaning.

F	Grease retaining fittings extend down into the water to within 12 inches of the bottom of the interceptor. Because FOG floats, it generally does not enter the fitting and is not carried into the next compartment. The fittings also extend above the water surface to provide air relief.
G	Some interceptors have a sample box so that inspectors or employees of the food service establishment can periodically take effluent samples. Having a sample box is recommended by the UPC but not required.
H	Flow exits the interceptor through the outlet pipe and continues on to the sanitary sewer system.

## Installation Considerations

- Install the grease interceptor as close as practical to the fixture(s) being served. This is important because every foot of piping between the fixture(s) and the interceptor is a potential maintenance problem.
- The grease interceptor should be located in an accessible area such that cleaning and maintenance can be easily performed. The placement should allow the interceptor cover to be visible and easily removable for cleaning. Anticipate sufficient clearance for removal of the cover and baffle for cleaning.
- Plumbing containing discharges from food grinders, dishwashers, and wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials should bypass the grease interceptor.
- A properly sized and designed grease interceptor may not work efficiently if it is installed incorrectly. A licensed plumbing contractor can handle all aspects of the interceptor installation which may include equipment procurement, plumbing, and in-ground installations that include excavations and concrete cutting/repair.
- The cost of installation will vary depending on the site. Cost factors include the size of the device, space, grade, proximity to a sewer line, and above-ground or in-ground installation.

## Proper Maintenance

Regular maintenance is essential to the proper operation of grease interceptors. Even the best designed and properly installed interceptors will fail when improperly maintained.

- Grease interceptor maintenance, which is usually performed by permitted haulers or recyclers, consists of removing the entire volume (liquids and

solids) from the grease interceptor and properly disposing of the material in accordance with all Federal, State, and/or local laws.

- Grease interceptors must be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed 25% of the total interceptor design hydraulic depth. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume are maintained to effectively intercept and retain FOG discharged from the facility.
- OC San's FOG Ordinance requires Food Service Establishments to clean their grease interceptors at least every 6 months. Typically, Food Service Establishments are required to clean grease interceptors once every 3 months. The frequency may increase depending on the capacity of the device, the amount of FOG in the wastewater, and the degree to which the facility has contributed to blockages in the past.
- Implementation of BMPs may reduce the required maintenance frequency for grease interceptors due to a reduction of FOG and solids loading on the interceptor, thereby reducing maintenance costs. Refer to the Fact Sheet for Kitchen BMPs that may be implemented.

## Maintenance Procedures

A proper grease interceptor maintenance procedure is outlined below:

1	Contact a grease hauler or recycler for cleaning.
2	Ensure that all flow to the interceptor is stopped by shutting the isolation valve in the inlet piping to the interceptor.
3	Remove the lid and bail out any water in the trap or interceptor to facilitate cleaning.
4	Remove baffles if possible.
5	Dip the accumulated grease out of the interceptor and deposit in a watertight container.
6	Pump out the settled solids and then the remaining liquids.
7	Scrape the sides, the lid, and the baffles with a putty knife to remove as much of the grease as possible, and deposit the grease into a watertight container.
8	Replace the baffle and the lid.

# Choosing a Grease Hauler

When selecting a grease waste hauler, be aware that services and prices can vary. Minimum services should include:

- Complete pumping and cleaning of the interceptor, rather than just skimming the FOG layer.
- Deodorizing and thorough cleaning of affected areas, as necessary.
- Disposal/reclamation at an approved location.

Representatives of food service establishments should witness all cleaning/maintenance activities to verify that the interceptor is being fully cleaned and properly maintained.

## Keeping Records

Careful record-keeping is one of the best ways to ensure that the grease interceptor is being cleaned and maintained on a regular basis.

## **Appendix F14**

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### Design Guidelines for Grease Interceptors



## FACT SHEET

# Design Guidelines for Grease Interceptors

The installation and use of a grease interceptor that is properly designed and sized for the type and size of the facility, is an important measure in ensuring that the facility does not contribute to the problems with the sewer system or experience back-ups in the facility itself. Food Service Establishments should weigh costs and benefits when evaluating grease interceptor design and capacity need. While the initial capital investment may be less with smaller capacity grease interceptor, pumping and maintenance fees may increase. Plans for future expansions should be assessed since menu expansion, seating capacity expansion or menu changes impact the effectiveness of the grease interceptor.

## Application

Grease interceptors are mainly used in treating kitchen wastewater from Food Service Establishments and other similar institutions with large volume of wastewater. Influent to grease interceptors usually contain high organic loads, including FOG and dissolved particles, as well as detergents and suspended solids. Sanitary wastewaters are not usually treated by grease interceptors. Wastewater with high solids loadings should not be discharged to grease interceptors as it can upset the interceptor performance and greatly increase both solids accumulation and the need for frequent pumpout.

For details on how a grease interceptor works and maintenance of grease interceptors, please see Fact Sheet on Grease interceptors.

## Basic Design Criteria

Grease interceptors must be designed to satisfy four basic criteria in order to ensure effective separation:

- **Time.** The grease interceptor must provide sufficient retention time for emulsified FOG to separate and float to the surface of the chamber.
- **Temperature.** The grease interceptor must provide adequate volume to allow the wastewater to cool sufficiently for emulsified FOG to separate.
- **Turbulence.** Turbulence through grease interceptors must be controlled so that the FOG and solids are not suspended in the wastewater. Turbulence control is especially important during high discharge rates.
- **Tankage.** The grease interceptor must provide sufficient storage capacity for accumulated FOG and solids between cleanings.

## Factors Affecting Grease Interceptor Performance

1. **Velocity of Incoming Water.** A higher velocity of water will contribute to a more turbulent mixture. This will slow the FOG separation process, thereby reducing efficiency.
2. **Ratio of FOG to Water.** The higher the ratio of FOG particles to the water, the lower the efficiency of the interceptor.
3. **Specific Gravity (Density) of FOG.** FOG has a lower specific gravity than water and will rise to the surface quickly. FOG-laden food particles having a higher specific gravity than water will

linger and accumulate at the bottom, eventually passing out of the interceptor.

4. **Possible Presence of Detergents in the System.** Grease-cutting detergents will break the liquid grease into minute particles that can cause these liquids to pass through the interceptor.
5. **Percentage of Maximum Flow Capacity.** If the maximum recommended flow is exceeded, the efficiency of the interceptor will decrease considerably.
6. **Location of Grease Interceptor.** The interceptor should be located as close as possible to the source of FOG. Plumbing leading to the grease interceptor may become clogged if the wastewater cools prior to entering the grease interceptor.

## Sizing Grease Interceptors

Grease interceptors are designed and sized based on anticipated flow rates and organic load for maximum efficiency. The FOG Ordinance adopted by the Orange County Sanitation District requires grease interceptor sizing to conform to the **Uniform Plumbing Code**. To calculate the size of a grease interceptor needed by a Food Service Establishment, refer to the following formula taken from Appendix H of the Uniform Plumbing Code:

No. of Meals per peak hour <sup>1</sup>	x	Waste Flow Rate <sup>2</sup>	x	Retention Time <sup>3</sup>	x	Storage Factor <sup>4</sup>	=	Interceptor Size (Liquid Capacity)
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1	Meals Served at Peak Hour										
2	To calculate the Waste Flow Rate, add all that apply: <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 20px;">With dishwashing machine</td> <td style="text-align: right;">6 gallons</td> </tr> <tr> <td style="padding-left: 20px;">Without dishwashing machine</td> <td style="text-align: right;">5 gallons</td> </tr> <tr> <td style="padding-left: 20px;">Single-service kitchen</td> <td style="text-align: right;">2 gallons</td> </tr> <tr> <td style="padding-left: 20px;">Food waste disposer</td> <td style="text-align: right;">1 gallon</td> </tr> </table>	With dishwashing machine	6 gallons	Without dishwashing machine	5 gallons	Single-service kitchen	2 gallons	Food waste disposer	1 gallon		
With dishwashing machine	6 gallons										
Without dishwashing machine	5 gallons										
Single-service kitchen	2 gallons										
Food waste disposer	1 gallon										
3	Retention Times: <table style="width: 100%; border: none;"> <tr> <td colspan="2">Commercial kitchen waste</td> </tr> <tr> <td style="padding-left: 20px;">Dishwasher</td> <td style="text-align: right;">2.5 hours</td> </tr> <tr> <td style="padding-left: 20px;">Single-service kitchen</td> <td></td> </tr> <tr> <td style="padding-left: 40px;">Single serving</td> <td style="text-align: right;">1.5 hours</td> </tr> </table>	Commercial kitchen waste		Dishwasher	2.5 hours	Single-service kitchen		Single serving	1.5 hours		
Commercial kitchen waste											
Dishwasher	2.5 hours										
Single-service kitchen											
Single serving	1.5 hours										
4	Storage Factors: <table style="width: 100%; border: none;"> <tr> <td colspan="2">Fully equipped commercial kitchen:</td> </tr> <tr> <td style="padding-left: 20px;">8-hour operation</td> <td style="text-align: right;">1</td> </tr> <tr> <td style="padding-left: 20px;">16-hour operation</td> <td style="text-align: right;">2</td> </tr> <tr> <td style="padding-left: 20px;">24-hour operation</td> <td style="text-align: right;">3</td> </tr> <tr> <td style="padding-left: 20px;">Single-service kitchen</td> <td style="text-align: right;">1.5</td> </tr> </table>	Fully equipped commercial kitchen:		8-hour operation	1	16-hour operation	2	24-hour operation	3	Single-service kitchen	1.5
Fully equipped commercial kitchen:											
8-hour operation	1										
16-hour operation	2										
24-hour operation	3										
Single-service kitchen	1.5										

## Grease Interceptor Design and Construction Guidelines

- Grease interceptors shall be placed as close as practical to the fixture(s) being served. It shall be located where it is easily accessible at all times for inspection, cleaning, and removal of accumulated grease.
- Minimum grease interceptor size shall be 750 gallons; the maximum size shall be 1500 gallons unless authorized by OC San in writing.
- Grease interceptors shall have two compartments. The inlet compartment shall be 2/3 of the total capacity of the interceptor and in all cases shall be longer than the maximum inside width of the interceptor. The outlet compartment shall have a minimum capacity of 1/3 of the total interceptor capacity. The liquid depth shall not be less than 2 feet 6 inches nor more than 6 feet.
- Access to each grease interceptor shall be provided by a manhole over the inlet and a manhole over the outlet. There shall also be an access manhole for each 10 feet of length for interceptors over 20 feet long. Manholes shall extend to grade, have a minimum size of 24 inches diameter or square opening, and shall have a gasketed cover at grade.
- The inlet and outlet shall have a baffle tee or similar flow device with a minimum cross sectional area equal to the required cross sectional area of the inlet. Each baffle shall extend from at least 4 inches above the liquid level to within at least 12 inches of the inside floor of the interceptor.
- Adequate partitions or baffles shall extend at least 6 inches above the liquid level. Flow from inlet compartment to outlet compartment shall be through a quarter bend, or similar device equivalent in cross sectional area to the inlet into the interceptor, and shall extend down to within 12 inches of the inside floor.
- The Inlet, outlet and main baffle shall have a free vent area equal to the required cross sectional area of the inlet pipe.

For more details regarding construction, structural, and material requirements, consult Appendix H of the UPC.

## **Appendix G1**

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### **BMP Inspection Report**



**BEST MANAGEMENT PRACTICES  
INSPECTION REPORT**  
Resource Protection Division – FOG Program

Permit No.	Inspection Date:
FSE Name:	Inspector: Lori McKinley
Address:	Inspector Signature:
Contact Name/Title	

**BMP COMPLIANCE CHECKLIST**

Requirement	Status	Comment
Screens installed in all floor and sink drains?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
Proper segregation and collection of waste cooking oil?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
Disposal of all food waste in the trash (not down the drain)?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
Oil decanted from kitchen exhaust filter wastewater to a grease interceptor or waste oil container?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
Required kitchen signage posted?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
<b>Employee BMP Training Log</b> complete and up-to-date?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
<b>Yellow Grease Pickup/Disposal Log</b> complete and up-to-date?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
<b>Grease Interceptor Maintenance Log</b> complete and up-to-date?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	

**OTHER REQUIREMENTS**

Food grinders eliminated?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
Biological/chemical additives used for emulsifying grease eliminated?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	
Effluent discharge temperatures below 140° Fahrenheit?	Yes [ <input type="checkbox"/> ] No [ <input type="checkbox"/> ]	

**INSPECTION FINDINGS**

Other Findings/Deficiencies:


Corrective Action Notice Issued?	Yes [ <input type="checkbox"/> ]	Not Applicable [ <input type="checkbox"/> ]
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## **Appendix G2**

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CAN (Corrective Action Notice)



## FOG CORRECTIVE ACTION NOTICE

Date:	Time:	Permit Number:
Food Service Establishment (FSE):		
Address:		
FSE Contact/Title (Print):		

Based on the inspection of your establishment, the OC San Inspector has noted noncompliance with the Fats, Oils, and Grease (FOG) Ordinance as shown by the deficiencies checked below. Your establishment must take immediate action to correct the problem by implementing the required corrective action(s) by:

**CORRECTIVE ACTION DUE DATE:** \_\_\_\_\_

After this date, the OC San Inspector will re-inspect your establishment to verify that all necessary corrective measures have been taken.

**FAILURE TO IMPLEMENT THE REQUIRED CORRECTIVE ACTION(S) WILL RESULT IN THE ISSUANCE OF A NOTICE OF VIOLATION AND IMPOSITION OF A NONCOMPLIANCE FEE IN THE AMOUNT OF \$100.**

DEFICIENCY	REQUIRED CORRECTIVE ACTION
<b>PROHIBITIONS – Article 2.2</b>	
<input type="checkbox"/> Food Grinder installed in plumbing system	<input type="checkbox"/> Remove food grinder
<input type="checkbox"/> Use of an additive for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance.	<input type="checkbox"/> Discontinue additive addition and remove any application equipment or apparatus.
<b>GREASE INTERCEPTOR REQUIREMENTS – Articles 4.2 &amp; 4.6</b>	
<input type="checkbox"/> Interceptor has not been maintained at a frequency established in the facility’s FOG Wastewater Discharge Permit.	<input type="checkbox"/> Conduct interceptor maintenance (pump-out contents).
<input type="checkbox"/> Other	
<b>BEST MANAGEMENT PRACTICES – Article 4.5</b>	
<input type="checkbox"/> Missing drain screens.	<input type="checkbox"/> Install suitable screens in all drains.
<input type="checkbox"/> Improper segregation of waste oil, or no waste oil container.	<input type="checkbox"/> Provide suitable container and collect waste oil for recycling.
<input type="checkbox"/> Improper disposal of solid food waste.	<input type="checkbox"/> Dispose of all solid food waste in the trash, not down the drain.
<input type="checkbox"/> Employee(s) not trained in Best Management Practices.	<input type="checkbox"/> Train all employee(s) in Best Management Practices.
<input type="checkbox"/> Proper maintenance of kitchen exhaust filters.	<input type="checkbox"/> Decant oil from kitchen exhaust filter washwater to a grease interceptor or waste oil container.
<input type="checkbox"/> Kitchen signage.	<input type="checkbox"/> Post required kitchen signage.
<input type="checkbox"/> Other	
<b>RECORD KEEPING REQUIREMENTS – Article 5.1</b>	
<input type="checkbox"/> Missing/Incomplete grease interceptor cleaning/maintenance log.	<input type="checkbox"/> Conduct grease interceptor, grease trap, or grease control device cleaning/maintenance, as necessary, and provide copy of updated maintenance log.
<input type="checkbox"/> Missing grease interceptor wastehauling manifests.	<input type="checkbox"/> Provide copies of interceptor wastehauling manifests.
<input type="checkbox"/> Missing/Incomplete employee BMP training log.	<input type="checkbox"/> Conduct employee Best Management Practices training and provide copy of updated training log.
<input type="checkbox"/> Missing/Incomplete yellow grease recycling log.	<input type="checkbox"/> Provide receipts/manifests for yellow grease pick-up.
<input type="checkbox"/> Other	
<b>DENIAL OF ENTRY – Articles 5.2 &amp; 5.3</b>	
<input type="checkbox"/> Refused entrance to authorized OC San personnel attempting to inspect facility.	<input type="checkbox"/> Make necessary arrangements so that representatives of OC San shall be permitted to enter without delay.

**Other Findings/Deficiencies:**

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### ACKNOWLEDGEMENT OF RECEIPT OF CORRECTIVE ACTION NOTICE

FSE Contact Signature	Date
Inspector Name	Date

## **APPLICABLE ARTICLES**

### **ARTICLE 2.2 PROHIBITIONS**

- A. Installation of food grinders in the plumbing system of new construction of Food Service Establishments shall be prohibited. Furthermore, all food grinders shall be removed from all existing Food Service Establishments within 180 days of the effective date of this Ordinance, except when expressly allowed by the FOG Control manager.
- B. Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance shall be prohibited, unless a specific written authorization from the FOG Control Manager is obtained.

### **ARTICLE 4.2 GREASE INTERCEPTOR REQUIREMENTS**

All Food Service Establishments shall provide wastewater acceptable to OC San, under the requirements and standards established herein before discharging to any public sewer. Any Food Service Establishment required to provide FOG pretreatment shall install, operate and maintain an approved type and adequately-sized grease interceptor necessary to maintain compliance with the objectives of this ordinance.

### **ARTICLE 4.5 REQUIREMENTS FOR BEST MANAGEMENT PRACTICES**

All Food Service Establishments shall implement Best Management Practices in accordance with the requirements and guidelines established by OC San under its FOG Control Program in an effort to minimize the discharge of FOG to the sewer.

### **ARTICLE 4.6 GREASE INTERCEPTOR MAINTENANCE REQUIREMENTS**

Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids. Food Service Establishments may be required to submit data and information necessary to establish the grease interceptor maintenance frequency.

1. Grease interceptors shall be fully pumped out and cleaned at a frequency that the combined FOG and solids accumulation does not exceed 25% of the total design hydraulic depth of the grease interceptor.
2. All Food Service Establishments with a grease interceptor shall maintain their grease interceptor not less than every 6 months.
3. Grease interceptors shall be pumped out and cleaned quarterly when the frequency described in (1) has not been established.
4. If the grease interceptor, at any time, contains FOG and solids accumulation that does not meet the requirements described in (1), the Food Service Establishment shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. Wastewater, accumulated FOG, floating materials, sludge/solids, and other materials removed from the interceptor shall be disposed off site properly by wastehaulers in accordance with federal, state and/or local laws.

### **ARTICLE 5.1 MONITORING AND REPORTING CONDITIONS B. Record Keeping Requirements**

The Permittee shall be required to keep all manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The Permittee shall, upon request, make the manifests, receipts and invoices available to any OC San representative or inspector.

These records may include:

1. A logbook of grease interceptor, grease trap, or grease control device cleaning and maintenance practices.
2. A record of Best Management Practices being implemented, including employee training.
3. Copies of records and manifests of wastehauling interceptor contents.
4. Records of sampling data and sludge height monitoring for FOG and solids accumulation in the grease interceptors.
5. Records of any spills and/or cleaning of the lateral or sewer system.
6. Any other information deemed appropriate by the FOG Control Program Manager to ensure compliance with this Ordinance.

### **ARTICLE 5.2 INSPECTION AND SAMPLING CONDIITONS**

The FOG Control Manager may inspect or order the inspection and/or sampling of the wastewater discharges of any Food Service Establishment to determine whether the intent of the Ordinance is being met and the Permittee is complying with all requirements. The Permittee shall allow OC San access to the Food Service Establishment premises, during normal business hours, for purposes of inspecting the Food Service Establishment's grease control devices or interceptor, and/or reviewing the manifests, receipts and invoices relating to the cleaning, maintenance and inspection of the grease control devices or interceptor. Where a Food Services Establishment has security measures in force, the Permittee shall make necessary arrangements so that representatives of OC San shall be permitted to enter without delay for the purpose of performing their specific responsibilities.

### **ARTICLE 5.3 RIGHT OF ENTRY**

Persons or occupants of premises where wastewater is created or discharged shall allow OC San, or its representatives, reasonable access to all parts of the wastewater-generating and disposal facilities for the purposes of inspection and sampling during all times the discharger's facility is open, operating, or any other reasonable time. No person shall interfere with, delay, resist or refuse entrance to authorized OC San personnel attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to OC San's sewer system. In the event of an emergency involving actual or imminent sanitary sewer overflow, OC San representatives may access adjoining businesses or properties which share a sewer system with a Food Service Establishment in order to prevent or remediate an actual or imminent sanitary sewer overflow.



### FOG CORRECTIVE ACTION NOTICE

Date:	Time:	Permit Number:
Food Service Establishment (FSE):		
Address:		
FSE Contact/Title (Print):		

Based on the inspection of your establishment, the OC San Inspector has noted noncompliance with the Fats, Oils, and Grease (FOG) Ordinance as shown by the deficiencies checked below. Your establishment must take immediate action to correct the problem by implementing the required corrective action(s) by:

**CORRECTIVE ACTION DUE DATE:** \_\_\_\_\_

After this date, the OC San Inspector will re-inspect your establishment to verify that all necessary corrective measures have been taken.

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DEFICIENCY	REQUIRED CORRECTIVE ACTION
<b>PROHIBITIONS – Article 2.2</b>	
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<input type="checkbox"/> Use of an additive for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance.	<input type="checkbox"/> Discontinue additive addition and remove any application equipment or apparatus.
<b>GREASE INTERCEPTOR REQUIREMENTS – Articles 4.2 &amp; 4.6</b>	
<input type="checkbox"/> Interceptor has not been maintained at a frequency established in the facility’s FOG Wastewater Discharge Permit.	<input type="checkbox"/> Conduct interceptor maintenance (pump-out contents).
<input type="checkbox"/> Other	
<b>BEST MANAGEMENT PRACTICES – Article 4.5</b>	
<input type="checkbox"/> Missing drain screens.	<input type="checkbox"/> Install suitable screens in all drains.
<input type="checkbox"/> Improper segregation of waste oil, or no waste oil container.	<input type="checkbox"/> Provide suitable container and collect waste oil for recycling.
<input type="checkbox"/> Improper disposal of solid food waste.	<input type="checkbox"/> Dispose of all solid food waste in the trash, not down the drain.
<input type="checkbox"/> Employee(s) not trained in Best Management Practices.	<input type="checkbox"/> Train all employee(s) in Best Management Practices.
<input type="checkbox"/> Proper maintenance of kitchen exhaust filters.	<input type="checkbox"/> Decant oil from kitchen exhaust filter washwater to a grease interceptor or waste oil container.
<input type="checkbox"/> Kitchen signage.	<input type="checkbox"/> Post required kitchen signage.
<input type="checkbox"/> Other	
<b>RECORD KEEPING REQUIREMENTS – Article 5.1</b>	
<input type="checkbox"/> Missing/Incomplete grease interceptor cleaning/maintenance log.	<input type="checkbox"/> Conduct grease interceptor, grease trap, or grease control device cleaning/maintenance, as necessary, and provide copy of updated maintenance log.
<input type="checkbox"/> Missing grease interceptor wastehauling manifests.	<input type="checkbox"/> Provide copies of interceptor wastehauling manifests.
<input type="checkbox"/> Missing/Incomplete employee BMP training log.	<input type="checkbox"/> Conduct employee Best Management Practices training and provide copy of updated training log.
<input type="checkbox"/> Missing/Incomplete yellow grease recycling log.	<input type="checkbox"/> Provide receipts/manifests for yellow grease pick-up.
<input type="checkbox"/> Other	
<b>DENIAL OF ENTRY – Articles 5.2 &amp; 5.3</b>	
<input type="checkbox"/> Refused entrance to authorized OC San personnel attempting to inspect facility.	<input type="checkbox"/> Make necessary arrangements so that representatives of OC San shall be permitted to enter without delay.

**Other Findings/Deficiencies:**

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**ACKNOWLEDGEMENT OF RECEIPT OF CORRECTIVE ACTION NOTICE**

FSE Contact Signature	Date
Inspector Name	Date



## **APPLICABLE ARTICLES**

### **ARTICLE 2.2 PROHIBITIONS**

- A. Installation of food grinders in the plumbing system of new construction of Food Service Establishments shall be prohibited. Furthermore, all food grinders shall be removed from all existing Food Service Establishments within 180 days of the effective date of this Ordinance, except when expressly allowed by the FOG Control manager.
- B. Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance shall be prohibited, unless a specific written authorization from the FOG Control Manager is obtained.

### **ARTICLE 4.2 GREASE INTERCEPTOR REQUIREMENTS**

All Food Service Establishments shall provide wastewater acceptable to OC San, under the requirements and standards established herein before discharging to any public sewer. Any Food Service Establishment required to provide FOG pretreatment shall install, operate and maintain an approved type and adequately-sized grease interceptor necessary to maintain compliance with the objectives of this ordinance.

### **ARTICLE 4.5 REQUIREMENTS FOR BEST MANAGEMENT PRACTICES**

All Food Service Establishments shall implement Best Management Practices in accordance with the requirements and guidelines established by OC San under its FOG Control Program in an effort to minimize the discharge of FOG to the sewer.

### **ARTICLE 4.6 GREASE INTERCEPTOR MAINTENANCE REQUIREMENTS**

Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids. Food Service Establishments may be required to submit data and information necessary to establish the grease interceptor maintenance frequency.

1. Grease interceptors shall be fully pumped out and cleaned at a frequency that the combined FOG and solids accumulation does not exceed 25% of the total design hydraulic depth of the grease interceptor.
2. All Food Service Establishments with a grease interceptor shall maintain their grease interceptor not less than every 6 months.
3. Grease interceptors shall be pumped out and cleaned quarterly when the frequency described in (1) has not been established.
4. If the grease interceptor, at any time, contains FOG and solids accumulation that does not meet the requirements described in (1), the Food Service Establishment shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. Wastewater, accumulated FOG, floating materials, sludge/solids, and other materials removed from the interceptor shall be disposed off site properly by wastehaulers in accordance with federal, state and/or local laws.

### **ARTICLE 5.1 MONITORING AND REPORTING CONDITIONS B. Record Keeping Requirements**

The Permittee shall be required to keep all manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The Permittee shall, upon request, make the manifests, receipts and invoices available to any OC San representative or inspector.

These records may include:

1. A logbook of grease interceptor, grease trap, or grease control device cleaning and maintenance practices.
2. A record of Best Management Practices being implemented, including employee training.
3. Copies of records and manifests of wastehauling interceptor contents.
4. Records of sampling data and sludge height monitoring for FOG and solids accumulation in the grease interceptors.
5. Records of any spills and/or cleaning of the lateral or sewer system.
6. Any other information deemed appropriate by the FOG Control Program Manager to ensure compliance with this Ordinance.

### **ARTICLE 5.2 INSPECTION AND SAMPLING CONDIITONS**

The FOG Control Manager may inspect or order the inspection and/or sampling of the wastewater discharges of any Food Service Establishment to determine whether the intent of the Ordinance is being met and the Permittee is complying with all requirements. The Permittee shall allow OC San access to the Food Service Establishment premises, during normal business hours, for purposes of inspecting the Food Service Establishment's grease control devices or interceptor, and/or reviewing the manifests, receipts and invoices relating to the cleaning, maintenance and inspection of the grease control devices or interceptor. Where a Food Services Establishment has security measures in force, the Permittee shall make necessary arrangements so that representatives of OC San shall be permitted to enter without delay for the purpose of performing their specific responsibilities.

### **ARTICLE 5.3 RIGHT OF ENTRY**

Persons or occupants of premises where wastewater is created or discharged shall allow OC San, or its representatives, reasonable access to all parts of the wastewater-generating and disposal facilities for the purposes of inspection and sampling during all times the discharger's facility is open, operating, or any other reasonable time. No person shall interfere with, delay, resist or refuse entrance to authorized OC San personnel attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to OC San's sewer system. In the event of an emergency involving actual or imminent sanitary sewer overflow, OC San representatives may access adjoining businesses or properties which share a sewer system with a Food Service Establishment in order to prevent or remediate an actual or imminent sanitary sewer overflow.

## **Appendix G3**

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### **Certification of Hand Delivery**



## CERTIFICATION OF HAND DELIVERY

I, \_\_\_\_\_,

as a representative of the Orange County Sanitation District (OC San) personally hand-delivered

\_\_\_\_\_  
(Article/Document Delivered)

To \_\_\_\_\_  
(Recipient Name/Title)

Of \_\_\_\_\_ on \_\_\_\_\_  
(Facility) (Date)

\_\_\_\_\_  
(Signature)

I, \_\_\_\_\_  
(Name/Title)

Of \_\_\_\_\_  
(Facility)

Acknowledge that I have personally received \_\_\_\_\_  
(Article/Document Delivered)

that was hand-delivered by the representative of OC San mentioned above on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

## **Appendix H1**

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### **BMP Training Log**



## **Appendix H2**

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### GI Maintenance Log



## **Appendix H3**

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### **Yellow Grease Log**





## **Appendix I**

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### **FOG Permit Application Packet**

*Information and Instructions  
for Obtaining a*

**Fats, Oils, and Grease  
Wastewater Discharge  
Permit**



**THIS PERMIT APPLICATION PACKET  
CONTAINS INFORMATION ON:**

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I.	Fats, Oils, and Grease (FOG) Wastewater Discharge Permit Program . . . . .	Page 2
II.	Permit Requirements for Discharging Wastewater from Food Service Establishments. . .	Page 2
III.	Food Service Establishments that Need a FOG Wastewater Discharge Permit . . . . .	Page 2
IV.	Facilities Exempt From Obtaining a FOG Wastewater Discharge Permit . . . . .	Page 2
V.	Penalties for Discharging Without a Valid FOG Wastewater Discharge Permit . . . . .	Page 3
VI.	Maintaining a Valid FOG Wastewater Discharge Permit . . . . .	Page 3
VII.	FOG Wastewater Discharge Permit Conditions and Requirements . . . . .	Page 4
VIII.	FOG Wastewater Discharge Permit Duration and Renewals . . . . .	Page 5
IX.	FOG Wastewater Discharge Permit Fee . . . . .	Page 5
X.	Facilities Requirements . . . . .	Page 5
XI.	Applying for a FOG Wastewater Discharge Permit . . . . .	Page 7
XII.	Where to Get Additional Information . . . . .	Page 7
XIII.	Permit Application Review and Evaluation Process . . . . .	Page 8
<b>Appendix A</b>	- Specific Instructions to Fill Out a FOG Wastewater Discharge Permit Application (Appendix A) . . . . .	Page A-1
<b>Appendix B</b>	- Guidelines on Drawing and Information Submittal Requirements. . . . .	Page B-1
<b>Appendix C</b>	Design Guidelines for Grease Interceptors	Page C-1

## **I. FATS, OILS, AND GREASE WASTEWATER DISCHARGE PERMIT PROGRAM**

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- The Orange County Sanitation District (OC San) administers a Fats, Oils, and Grease (FOG) Source Control Program to protect the public and the environment through the regulation of wastewater discharges from Food Service Establishments.
- A permit program is implemented to limit the discharge of FOG from Food Service Establishments by establishing prohibitions, requirements for implementation of kitchen best management practices, requirements for installation of grease interceptors when necessary, self-monitoring requirements, reporting requirements, and others.

## **II. PERMIT REQUIREMENTS FOR DISCHARGING WASTEWATER FROM FOOD SERVICE ESTABLISHMENTS**

---

- OC San's *Fats, Oils, and Grease Ordinance* (FOG Ordinance) requires Food Service Establishments that desire to discharge wastewater to the sewer system to apply for a FOG Wastewater Discharge Permit (permit).
- All Food Service Establishments requiring a permit to discharge directly into OC San's sewerage facilities must file an application and pay the applicable fees pursuant to Sections 3.1 and 3.4 of OC San's FOG Ordinance.

## **III. FOOD SERVICE ESTABLISHMENTS THAT NEED FOG WASTEWATER DISCHARGE PERMIT**

---

- Permits are required for Food Service Establishments within the jurisdictional boundaries of OC San, operating in a permanently constructed structure that is maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in the California Uniform Retail Food Service Establishments Law (CURFFL) Section 113785.

## **IV. FACILITIES EXEMPT FROM OBTAINING A FOG WASTEWATER DISCHARGE PERMIT**

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- Establishments engaged in limited food preparation are not considered as Food Service Establishments and are exempt from obtaining a permit. Limited Food Preparation Establishments are typically engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a

significant amount of FOG. A Limited Food Preparation Establishment does not include any operation that changes the form, flavor, or consistency of food.

## **V. PENALTIES FOR DISCHARGING WITHOUT A VALID FOG WASTEWATER DISCHARGE PERMIT**

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Facilities discharging without a valid permit are subject to the following penalties:

- **Civil Penalties.** Pursuant to the authority of California Government Code Sections 54739 - 54740, any person who violates any provision of OC San's FOG Ordinance shall be liable civilly for a sum not to exceed \$25,000 per violation, for each day in which such violation occurs. Pursuant to the authority of the Clean Water Act, 33 U.S.C. Section 1251 et seq., any person who violates any provision of OCSD's FOG Ordinance shall be liable civilly for a sum not to exceed \$25,000 per violation, for each day in which such violation occurs. Pursuant to California Government Code Sections 54740.5 and 54740.6, the OC San may impose administrative fines up to the greater of \$5,000 per day or \$10 per gallon for discharge violations.
- **Criminal Penalties.** Any person who violates any provision of the OC San's FOG Ordinance is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed \$1,000, or imprisonment for not more than thirty (30) days, or both. Each violation and each day in which a violation occurs may constitute a new and separate violation of OC San's FOG Ordinance and shall be subject to the penalties contained herein.

## **VI. MAINTAINING A VALID FOG WASTEWATER DISCHARGE PERMIT**

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An approved permit is no longer valid if any one of the following occurs:

- The Food Service Establishment has undergone a change in ownership.
- The Food Service Establishment has changed locations.
- Permit has expired.

Permits issued under the FOG Ordinance are for a specific user for a specific operation at a specific location. A new permit application must be filed when there is a change in ownership or when the Food Service Establishment moves to a different location. Permits are not transferable. Upon expiration of the permit, a permit renewal application must be submitted.

## VII. FOG WASTEWATER DISCHARGE PERMIT CONDITIONS AND REQUIREMENTS

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A permit contains all of the following conditions or limits:

- Limitations on discharge of FOG that may accumulate and/or cause or contribute blockages in the sewer system or at the lateral which connects the Food Service Establishment to the sewer system.
- Requirements for implementation of kitchen Best Management Practices and periodic reporting of status of implementation.
- Requirements for the Food Service Establishments to construct, operate and maintain, at its own expense, a grease interceptor. When applicable, a permit may contain a Conditional Waiver from the grease interceptor requirement.
- Requirements for proper maintenance of grease interceptors based on specified frequency and schedule, keeping maintenance logs and wastehauling records, and periodic submission of Grease Interceptor Wastehauling Reports.
- Additional requirements as otherwise determined to be reasonably appropriate by the FOG Control Program Manager to protect OC San's sewer system or as specified by other Regulatory Agencies.
- Other terms and conditions, which may be reasonably applicable to ensure compliance with the FOG Ordinance.

A permit contains all of the following prohibitions:

- Installation of food grinders in the plumbing system of new construction of Food Service Establishments, except when expressly allowed by the FOG Control Program Manager.
- Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the FOG Control Program Manager is obtained.
- Disposal of waste cooking oil into drainage pipes. All waste cooking oil shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
- Discharge of wastewater from dishwashers to any grease trap or grease interceptor.
- Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors.

- Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service, or vice versa.
- Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system. Grease removed from grease interceptors shall be waste hauled periodically as part of the operation and maintenance requirements for grease interceptors.
- Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the design hydraulic depth of the grease interceptor (25% Rule).

#### **VIII. FOG WASTEWATER DISCHARGE PERMIT DURATION AND RENEWALS**

- Permits are normally issued for a period of two (2) years. The Food Service Establishment must apply for renewal of the permit in accordance with the provisions of OC San's FOG Ordinance, at least 60 days prior to the expiration of the permit, if the permit holder wishes to renew the permit.

#### **IX. FOG WASTEWATER DISCHARGE PERMIT FEE**

- The permit fee is \$200 for a 2-year permit duration; permit fees are based on the calendar year, January 1 through December 31. Fees calculated for new permits issued during the year will be prorated.
- The permit fee must be remitted prior to the issuance of a new permit. No permit will be issued prior to remittance of the permit fee.

#### **X. FACILITIES REQUIREMENTS**

- **Requirements For Kitchen Best Management Practices** - All Food Service Establishments are required to implement kitchen Best Management Practices to minimize the discharge of FOG to the sewer system. At a minimum, the following Best Management Practices must be implemented, when applicable:
  - Installation of drain screens. Drain screens shall be installed on all drainage pipes in food preparation areas.
  - Segregation and collection of waste cooking oil. All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure that they do not leak. Licensed wastehaulers or an approved recycling facility must be used to dispose of waste cooking oil.



- Disposal of food wastes. All food waste shall be disposed of directly into the trash or garbage, and not in sinks. Double-bagging food wastes that have the potential to leak in trash bins are highly recommended.
- Employee training. Employees of the Food Service Establishment shall be trained by ownership/management periodically as specified in the permit, on the following subjects:
  - a) How to “dry wipe” pots, pans, dishware and work areas before washing to remove grease.
  - b) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
  - c) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
  - d) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by the FOG Control Program Manager or an inspector.

- Maintenance of kitchen exhaust filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filter shall be disposed properly.
- Kitchen signage. Best management and waste minimization practices shall be posted visibly in the food preparation and dishwashing areas at all times.
- **Grease Interceptor Requirements** - Food Service Establishments are required to pretreat their wastewater using grease interceptors to remove FOG prior to discharge to the sewer system. Food Service Establishments required to provide FOG pretreatment shall install, operate, and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance. Grease interceptor sizing and installation shall conform to the current edition of the Uniform Plumbing Code. Refer to Appendix C for more detailed information.

An existing Food Service Establishment may obtain a Conditional Waiver from installation of a grease interceptor, if it can demonstrate that it has negligible FOG discharge and insignificant impact to the sewer system. See Section 2.6 of OC San's FOG Ordinance for more information.

- **Grease Interceptor Maintenance Requirements** - Grease Interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the

interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids. All existing and newly installed grease interceptors shall be maintained in a manner consistent with a maintenance frequency approved by the FOG Control Program Manager.

## **XI. APPLYING FOR A FOG WASTEWATER DISCHARGE PERMIT**

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1. Complete the **Application for FOG Wastewater Discharge Permit**. Detailed instructions on how to fill out the permit application are provided in **Appendix A** of the information brochure.
2. **If required**, complete the **Drawings and Information Submittal Requirements** specified in **Appendix B**. Design Guidelines for Grease Interceptors can be found in Appendix C.
3. Fill out the **FOG Permit Application Package Check List** provided to ensure that all requirements have been completed. This must be submitted with your application.
4. Submit all the above requirements. **The complete package must be returned to:**

**Orange County Sanitation District  
Resource Protection Division - FOG Program  
10844 Ellis Avenue  
Fountain Valley, CA 92708  
Attn: Lori McKinley**

NOTE: OC San will not process the permit application if any of the above requirements are either missing or incomplete. Please make sure that all information required is complete to avoid any delays in the issuance of the permit. Discharging wastewater from a Food Service Establishment without a valid permit is a violation of OC San's FOG Ordinance and may be subject to fines and penalties.

## **XII. WHERE TO GET ADDITIONAL INFORMATION**

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- Should you have questions on how to fill out the permit application or on how to comply with the permit application requirements, please contact the following:

**Lori McKinley**  
Principal Environmental Specialist  
Phone: (714) 593-7505  
E-mail: [lmckinley@ocsan.gov](mailto:lmckinley@ocsan.gov)

### XIII. PERMIT APPLICATION REVIEW AND EVALUATION PROCESS

- The applicant will be notified of the receipt of permit application in writing.
- OC San will conduct an inspection of a new applicant's facility to verify the information provided in the permit application.
- A comprehensive review and evaluation will be conducted to identify any submittal deficiencies.
- If all requirements are satisfied, including the remittance of the permit fee, the Permit will be issued within approximately three weeks after receipt of the application.

**APPENDIX A**  
**SPECIFIC INSTRUCTIONS TO FILL OUT A**  
**FOG WASTEWATER DISCHARGE PERMIT APPLICATION**

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Clearly print or type the information requested and return the signed original to OC San. All questions must be answered. **DO NOT LEAVE BLANKS.** If the question is not applicable, indicate "N/A" on the form.

**LINE A** Enter the Food Service Establishment's official or legal name.

**LINE B** If the Food Service Establishment is doing business under a different name other than indicated in LINE A, enter the name.

**LINE C** Provide the address (physical location) of the Food Service Establishment where wastewater is being discharged.

**LINE D** Enter the Food Service Establishment's telephone number and email address at its physical location.

**LINE E** Check the appropriate box to indicate type of business entity. A sole proprietorship is a business owned by one person for profit. A partnership is a business owned by two or more persons for profit. A corporation is a business owned by shareholders.

**LINE F** Enter the name of owner, general partner, or chief executive officer. If the type of business is sole proprietorship, indicate the name of the sole proprietor. If the type of business is a partnership, list the name of a general partner. If the type of business is a corporation, list the name of the Chief Executive Officer or equivalent. Provide the title, address, phone number, and email address of the owner, partner, or chief executive officer.

**LINE G** Enter the name of the Designated Representative and Signatory who has been authorized by the corporate officer, general partner, or proprietor to be responsible for receiving notices and signing all correspondence and reports. Provide the title, address, phone number, and email address of the owner, partner, or chief executive officer. **Note that all correspondence, permit, and notices from OC San will be sent to this person.** The Designated Representative and Signatory is defined as follows:

1. A responsible corporate officer, if the business is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
  - A. a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
  - b. the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. A general partner or proprietor if the business is a partnership or sole proprietorship respectively.
3. A duly authorized representative of the individual designated in paragraph (1) or (2) of this section if:
  - a. the authorization is made in writing by the individual described in paragraph (1) or (2);
  - b. the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the wastewater discharge originates, such as the position of a manager, or a position of equivalent responsibility for environmental matters for the company; and

c. the written authorization is submitted to OC San.

**LINE H** Enter the name, title, phone number and email address of the person that OC San can contact during facility inspections.

**LINE I** Under the **Type of Food Service Establishment** column, check the box(es) that appropriately describes the type of food service provided in the facility. Under the **Location** column, check the box(es) the location of the facility.

**LINE J** Under the **Food Processing Equipment** column, check box(es) corresponding to equipment used to prepare/cook food in your facility and indicate the quantity for each. Likewise, do the same thing for the **Kitchen Equipment** column.

**LINE K** For each day of operation, indicate start/stop hours when the facility is open for business or check the appropriate box when the facility is open 24 hours or when it is closed.

**LINE L** Provide the following miscellaneous information:

**No. of Employees** – total number of employees in the facility

**Seating capacity** – the number of seats available for dining inside and outside the facility

**Average No. of Meals served during Peak Hour** – indicate the average number of meals served during the busiest hour. If the facility is close to being full during the peak hour, this should approach or at the most equivalent to the total seating capacity.

**Do you wash plates** – indicate whether dishes used in the facility are washed.

**Chain Status** – Indicate if the facility belongs to a chain of restaurants or an an independent facility.

**Seating** – Indicate whether the facility sit-down dining facility or a take-out only facility or both.

**LINE M** Indicate whether or not your facility is already in operation at the sewer address indicated. If not, enter the date when you anticipate to start operation.

**LINE N** Indicate whether or not a grease interceptor is used in your facility. A grease interceptor is device typically underground and located outside a Food Service Establishment designed to collect, contain, or remove food wastes, fats, oils, and grease from the wastestream prior to discharge to the sewer. This is not to be confused with a grease trap which is a device typically located inside a Food Service Establishment or under a sink designed to collect smaller quantities of fats, oils, and grease.

**LINE O** Provide the name, address, phone number, and email of the owner of the premises.

**LINE P** The permit application must be signed and dated by the Owner, a General Partner, or Chief Executive Officer identified in Line F.

**LINE Q** Provide the name, address, phone number, and email address of the person that OC San can contact if there are questions regarding the permit application.

## APPENDIX B

### GUIDELINES ON DRAWING AND INFORMATION SUBMITTAL REQUIREMENTS

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All drawings shall clearly convey all the information required and shall have good contrast, clear background, and legible labeling. Drawings shall have a minimum dimension of 11 " x 17" and shall not exceed a maximum dimension of 30" x 42". Three sets of the following are required:

- I. Plot Plan
- II. Grease Interceptor Information and Drawings

#### I. PLOT PLAN

The **Plot Plan** shall provide information identifying the location of the Food Service Establishment relative to the streets and surrounding area, show general dining and kitchen areas, and provide information on the **general** piping connections for incoming water and wastewater discharged to the sewer. As a **minimum requirement**, the drawing shall be drawn to scale and shall clearly identify each of the following:

- a. Map orientation or North arrow.
- b. Name of Food Service Establishment and address, drawing name and number, scale size, date drawn/revised, name of person approving the drawings and approval signatures.
- c. Legend for symbols used.
- d. The property lines, building outline and location with respect to streets. Identify relative location of suite for multi-tenant buildings.
- e. All general work areas including the dining and kitchen areas.
- f. The overall building dimensions and work area dimensions.
- g. All floor drains and sewer connections.
- h. Above-ground and below-ground waste/wastewater piping and sewer connection to the city's main sewer line. In some cases, this may entail illustrating your facility's access to the city sewer via common private sewer line(s).
- i. All water meter locations.
- k. Location of grease interceptor.

Failure to clearly show the above minimum requirements may result in your application being returned for correction of deficiencies, which may delay permit issuance.

## II. GREASE INTERCEPTOR DETAIL INFORMATION AND DRAWINGS

The grease interceptor design shall conform to the Design Guidelines described in Appendix C.

### A. Grease Interceptor Sizing Worksheet

The **Grease Interceptor Sizing Worksheet** shown on the following page must be completed and submitted with the grease interceptor drawing.

### B. Grease Interceptor Drawing

The **Grease Interceptor Drawing** shall provide details of the interceptor. At a minimum, the drawing shall be drawn to scale and shall provide different views of the interceptor (front and side elevations, and plan view) to show, at a minimum, the following:

- a. Influent line
- b. Vents
- c. Access manholes
- d. Primary chamber with inlet/outlet piping
- e. Secondary chamber with inlet/outlet piping
- f. Grease interceptor discharge line
- g. Baffles
- h. Dimensions

In addition to the above, the drawing shall also include the following information:

- a. Name of Food Service Establishment and address
- b. Approval signatures and dates
- c. Name of manufacturer and model
- d. Rated hydraulic capacity of the grease interceptor in gallons

## Grease Interceptor Sizing Worksheet

Name of Food Service Establishment	Contact Person for this worksheet	Name																		
Address		Phone                      Email:																		
<p><b>Follow these six simple steps to determine size of grease interceptor:</b></p>																				
Enter Results from each Step Here	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p style="font-size: small;">No. of Meals per Peak Hour</p> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 0 auto;"></div> <p style="font-weight: bold; color: blue;">Step 1</p> </div> <div style="text-align: center;">x</div> <div style="text-align: center;"> <p style="font-size: small;">Waste Flow Rate</p> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 0 auto;"></div> <p style="font-weight: bold; color: blue;">Step 2</p> </div> <div style="text-align: center;">x</div> <div style="text-align: center;"> <p style="font-size: small;">Retention Time</p> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 0 auto;"></div> <p style="font-weight: bold; color: blue;">Step 3</p> </div> <div style="text-align: center;">x</div> <div style="text-align: center;"> <p style="font-size: small;">Storage Factor</p> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 0 auto;"></div> <p style="font-weight: bold; color: blue;">Step 4</p> </div> <div style="text-align: center;">=</div> <div style="text-align: center;"> <p style="font-size: small;">Calculated Interceptor Size, Gallons</p> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 0 auto;"></div> <p style="font-weight: bold; color: blue;">Step 5</p> </div> <div style="text-align: center;">=</div> <div style="text-align: center;"> <p style="font-size: small;">Rated Interceptor Size, Gallons</p> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 0 auto;"></div> <p style="font-weight: bold; color: blue;">Step 6</p> </div> </div>																			
<b>Step 1</b>	<p><b>Number of Meals per Peak Hour</b> (Recommended Formula)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; width: 30%;">Seating Capacity</td> <td style="width: 10%; text-align: center;">x</td> <td style="text-align: center; width: 30%;">Meal Factor</td> <td style="width: 10%; text-align: center;">=</td> <td style="text-align: center; width: 20%;">Meals per peak hour</td> </tr> <tr> <td style="text-align: center;"><div style="border: 1px solid black; width: 40px; height: 25px; margin: 0 auto;"></div></td> <td></td> <td style="text-align: center;"><div style="border: 1px solid black; width: 40px; height: 25px; margin: 0 auto;"></div></td> <td></td> <td style="text-align: center;"><div style="border: 1px solid black; width: 40px; height: 25px; margin: 0 auto;"></div></td> </tr> </table> <p><b>Establishment Type</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><input type="radio"/> Fast Food (45 min)</td> <td style="text-align: right;">1.33</td> </tr> <tr> <td><input type="radio"/> Restaurant (60 min)</td> <td style="text-align: right;">1.00</td> </tr> <tr> <td><input type="radio"/> Leisure Dining (90 min)</td> <td style="text-align: right;">0.67</td> </tr> <tr> <td><input type="radio"/> Dinner Club (120 min)</td> <td style="text-align: right;">0.50</td> </tr> </table>	Seating Capacity	x	Meal Factor	=	Meals per peak hour	<div style="border: 1px solid black; width: 40px; height: 25px; margin: 0 auto;"></div>		<div style="border: 1px solid black; width: 40px; height: 25px; margin: 0 auto;"></div>		<div style="border: 1px solid black; width: 40px; height: 25px; margin: 0 auto;"></div>	<input type="radio"/> Fast Food (45 min)	1.33	<input type="radio"/> Restaurant (60 min)	1.00	<input type="radio"/> Leisure Dining (90 min)	0.67	<input type="radio"/> Dinner Club (120 min)	0.50	Notes:
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<input type="radio"/> Dinner Club (120 min)	0.50																			
<b>Step 2</b>	<p><b>Waste Flow Rate</b> (Add all the apply)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><input type="checkbox"/> With a dishwashing machine</td> <td style="text-align: right;">6 gallons</td> </tr> <tr> <td><input type="checkbox"/> Without a dishwashing machine</td> <td style="text-align: right;">5 gallons</td> </tr> <tr> <td><input type="checkbox"/> Single service kitchen (Disposable Dishes and Utensils)</td> <td style="text-align: right;">2 gallons</td> </tr> <tr> <td><input type="checkbox"/> Food waste disposer (Grinder)</td> <td style="text-align: right; border-bottom: 1px solid black;">1 gallon</td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>Total Waste Flow Rate</b> ⇒</td> </tr> </table>	<input type="checkbox"/> With a dishwashing machine	6 gallons	<input type="checkbox"/> Without a dishwashing machine	5 gallons	<input type="checkbox"/> Single service kitchen (Disposable Dishes and Utensils)	2 gallons	<input type="checkbox"/> Food waste disposer (Grinder)	1 gallon	<b>Total Waste Flow Rate</b> ⇒		Notes:								
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<b>Step 3</b>	<p><b>Retention Time</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><input type="radio"/> Commercial kitchen waste Dishwasher</td> <td style="text-align: right;">2.5 hours</td> </tr> <tr> <td><input type="radio"/> Single service kitchen Single serving</td> <td style="text-align: right;">1.5 hours</td> </tr> </table>	<input type="radio"/> Commercial kitchen waste Dishwasher	2.5 hours	<input type="radio"/> Single service kitchen Single serving	1.5 hours	Notes:														
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<input type="radio"/> 24-hr operation	3																			
<input type="radio"/> Single-Service Kitchen	1.5																			
<b>Step 5</b>	<p><b>Calculate Hydraulic Capacity</b></p> <p>Multiply the values obtained from steps 1, 2, 3 and 4. The result is the minimum approximate grease interceptor size for this application.</p>	Notes:																		
<b>Step 6</b>	<p><b>Select Grease Interceptor Size</b></p> <p>Using the approximate required hydraulic capacity from Step 5, select an appropriate size as recommended by the manufacturer.</p>	<p>Notes:</p> <p style="text-align: right; color: blue; font-weight: bold; font-size: 1.2em;">Minimum Size: 750 gallons</p>																		



## APPENDIX C

### DESIGN GUIDELINES FOR GREASE INTERCEPTORS

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The installation and use of a grease interceptor that is properly designed and sized for the type and size of the Food Service Establishment (FSE), is an important measure in ensuring that an FSE does not contribute with blockages in the sewer system or experience back-ups in the facility itself. Food Service Establishments should weigh costs and benefits when evaluating grease interceptor design and capacity need. While the initial capital investment may be less with smaller capacity grease interceptor, pumping and maintenance fees may increase. Plans for future expansion should be considered since menu expansion, seating capacity expansion or menu changes impact the effectiveness of the grease interceptor.

#### I. APPLICATION

Grease interceptors are mainly used in treating kitchen wastewater from Food Service Establishments and other similar institutions with a large volume of wastewater. Influent to grease interceptors usually contains high organic loads, including FOG and dissolved particles, as well as detergents and suspended solids. Sanitary wastewaters are not usually treated by grease interceptors. Wastewater with high solids loadings should not be discharged to grease interceptors as it can upset the interceptor performance and greatly increase both solids accumulation and the need for frequent pump out.

#### II. BASIC DESIGN CRITERIA

In order to ensure effective separation, grease interceptors must be designed to satisfy four basic criteria:

- **Time.** The grease interceptor must provide sufficient retention time for emulsified FOG to separate and float to the surface of the chamber.
- **Temperature.** The grease interceptor must provide adequate volume to allow the wastewater to cool sufficiently for emulsified FOG to separate.
- **Turbulence.** Turbulence through grease interceptors must be controlled so that the FOG and solids are not suspended in the wastewater. Turbulence control is especially important during peak flow discharge periods.
- **Tankage.** The grease interceptor must provide sufficient storage capacity for accumulated FOG and solids between cleanings.

#### III. FACTORS AFFECTING GREASE INTERCEPTOR PERFORMANCE

- **Velocity of Incoming Water.** A high velocity wastewater flow causes turbulence. This will slow the FOG separation process, thereby reducing the grease interceptor efficiency.
- **Ratio of FOG to Water.** The higher the ratio of FOG particles to the water, the lower the efficiency of the interceptor.
- **Specific Gravity (Density) of FOG.** FOG has a lower specific gravity than water and will rise to the surface quickly. FOG-laden food particles having a higher specific gravity than water will linger and accumulate at the bottom, eventually passing out of the interceptor.
- **Possible Presence of Detergents in the System.** Grease-cutting detergents will break the liquid grease into minute particles that can cause these liquids to pass through the interceptor.

- **Percentage of Maximum Flow Capacity.** If the maximum recommended flow is exceeded, the efficiency of the interceptor will decrease considerably.
- **Location of Grease Interceptor.** The interceptor should be located as close as possible to the source of FOG. Plumbing leading to the grease interceptor may become clogged if the wastewater cools prior to entering the grease interceptor.

#### IV. SIZING GREASE INTERCEPTORS

Grease interceptors are designed and sized for maximum efficiency based on anticipated flow rates and organic load. The FOG Ordinance adopted by the Orange County Sanitation District requires grease interceptor sizing to conform to the **Uniform Plumbing Code**. Contact your city building department to enquire about interceptor sizing and installation criteria. To calculate the size of a grease interceptor needed by a Food Service Establishment, refer to the following formula taken from Appendix H of the Uniform Plumbing Code (see Grease Interceptor Sizing Worksheet):

No. of Meals per peak hour	x	Waste Flow Rate	x	Retention Time	x	Storage Factor	=	Interceptor Size (Liquid Capacity)
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#### V. GREASE INTERCEPTOR DESIGN AND CONSTRUCTION GUIDELINES

- Grease interceptors shall be placed as close as practical to the fixture(s) being served. It shall be located where it is easily accessible at all times for inspection, cleaning, and removal of accumulated grease.
- Minimum grease interceptor size shall be 750 gallons; the maximum size shall be 1500 gallons. Use multiple interceptors for sizes more than 1500 gallons.
- Grease interceptors shall have two compartments. The inlet compartment shall be 2/3 of the total capacity of the interceptor and in all cases shall be longer than the maximum inside width of the interceptor. The outlet compartment shall have a capacity of 1/3 of the total interceptor capacity. The liquid depth shall not be less than 2 feet 6 inches nor more than 6 feet.
- Access to each grease interceptor shall be provided by a manhole over the inlet and a manhole over the outlet. There shall also be an access manhole for each 10 feet of length for interceptors over 20 feet long. Manholes shall extend to grade, have a minimum size of 24 inches diameter or square opening, and shall have a gasketed cover at grade.
- The inlet and outlet shall have a baffle tee or similar flow device with a minimum cross sectional area equal to the required cross sectional area of the inlet. Each baffle shall extend from at least 4 inches above the liquid level to within at least 12 inches of the inside floor of the interceptor.
- Adequate partitions or baffles shall extend at least 6 inches above the liquid level. Flow from inlet compartment to outlet compartment shall be through a quarter bend, or similar device equivalent in cross sectional area to the inlet into the interceptor, and shall extend down to within 12 inches of the inside floor.
- The Inlet, outlet and main baffle shall have a free vent area equal to the required cross sectional area of the inlet pipe.

**For more details regarding construction, structural, and material requirements, consult Appendix H of the UPC.**



## APPLICATION FOR FATS, OILS, AND GREASE WASTEWATER DISCHARGE PERMIT

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### APPLICATION PACKAGE CHECKLIST

SUBMITTED (Please check appropriate box)

- PERMIT APPLICATION
- PERMIT FEE REMITTANCE: The permit fee is \$200 for a 2-year permit duration; permit fees are based on the calendar year, January 1 through December 31. Fees calculated for new permits issued during the year will be prorated. **The permit fee must be remitted prior to the issuance of the permit.**

**Unless specifically instructed, the following drawings and information are required only for newly-constructed Food Service Establishments or for renovations of existing facilities costing \$50,000 or more:**

- Plot Plan
- Grease Interceptor Design Drawings
- Grease Interceptor Sizing Worksheet
- Other: \_\_\_\_\_

The items checked above were submitted.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

**Note: This checklist must be submitted with the FOG Wastewater Discharge Permit Application.**



## APPLICATION FOR FATS, OILS, AND GREASE (FOG) WASTEWATER DISCHARGE PERMIT FOR FOOD SERVICE ESTABLISHMENTS

**Instructions:** For the Orange County Sanitation District (OC San) to properly evaluate, process, and issue a Fats, Oils, and Grease (FOG) Wastewater Discharge Permit, the applicant must provide a complete permit application.

- ▶ The Permit Application Form must be filled out completely. Your application will be returned to you if there is any missing information. **Please write N/A if the information being requested does not apply.**
- ▶ The Permit Application must be signed by an official company representative. OC San will return your permit application if it is not signed by the proper company official.
- ▶ **The permit fee must be paid prior to the issuance of the permit.** All required Drawings and Information described in the information brochure must be submitted with this application. Complete the checklist provided to ensure that all requirements are satisfied.

OC San **will not** process incomplete Permit Applications. Please refer to **Appendix A** of the information brochure for **detailed instructions** for completing this Application Form. Clearly print or type the information requested.

### Section I – General Information

A Applicant \_\_\_\_\_  
Corporation or Food Service Establishment Name

B Doing Business as \_\_\_\_\_  
Food Service Establishment Name used at Sewer Service Address Listed Below

C Sewer Service Address \_\_\_\_\_  
Street City State Zip Code

D Phone Number \_\_\_\_\_ E-mail Address \_\_\_\_\_

E Is your establishment a  sole proprietorship?  partnership?  corporation?

F Name of Owner, a General Partner, or Chief Executive Officer

\_\_\_\_\_  
Name Title

\_\_\_\_\_  
Street City State Zip Code

\_\_\_\_\_  
Phone Number Email Address

G Name of Designated Representative and Signatory for the facility who can be served with notices and is responsible for signing all correspondence and reports. **All correspondence, including certified mail, will be sent to this representative** (this person must meet the requirements detailed in the instructions provided in Appendix A):

Please check if this is the same person identified in Line F or provide the information below:

\_\_\_\_\_  
Name Title

\_\_\_\_\_  
Street City State Zip Code

\_\_\_\_\_  
Phone Number Email Address

H Facility Contact During Inspections

Name _____	Title _____
Phone Number _____	Email Address _____

**Section II – Facility Operational Characteristics**

I Please check descriptions that represent your facility.

Type of Food Service Establishment		Location	
<input type="checkbox"/> Fast Food Restaurant	<input type="checkbox"/> Ice Cream Shop	<input type="checkbox"/> Stand-alone Restaurant	<input type="checkbox"/> Hospital
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Cocktails/Bar	<input type="checkbox"/> Strip Mall Attached	<input type="checkbox"/> Nursing Home
<input type="checkbox"/> Buffet	<input type="checkbox"/> Catering	<input type="checkbox"/> Mall/Food Court	<input type="checkbox"/> Hotel/Motel
<input type="checkbox"/> Take Out Facility (only)	<input type="checkbox"/> Food Packager	<input type="checkbox"/> School	<input type="checkbox"/> Supermarket
<input type="checkbox"/> Coffee Shop	<input type="checkbox"/> Meat Processor	<input type="checkbox"/> Club/Organization	<input type="checkbox"/> Religious Institution
<input type="checkbox"/> Bakery		<input type="checkbox"/> Company/Office Building	<input type="checkbox"/> Prison
<input type="checkbox"/> Cafeteria	<input type="checkbox"/> Other _____	<input type="checkbox"/> Stadium/Amusement Park	<input type="checkbox"/> Other _____

J Please indicate each item that you currently have in your facility and the quantity of each.

Food Processing Equipment				Kitchen Equipment			
	Qty		Qty		Qty		Qty
<input type="checkbox"/> Deep Fryer	_____	<input type="checkbox"/> Rotisserie	_____	<input type="checkbox"/> Dishwasher	_____	<input type="checkbox"/> Other Equipment (list below) _____ _____ _____	_____
<input type="checkbox"/> Charbroiler	_____	<input type="checkbox"/> Stove	_____	<input type="checkbox"/> Pre-rinse sink	_____		_____
<input type="checkbox"/> Griddle	_____	<input type="checkbox"/> Wok	_____	<input type="checkbox"/> Mop Sink	_____		_____
<input type="checkbox"/> Grill	_____	<input type="checkbox"/> Other	_____	<input type="checkbox"/> Floor Drains	_____		_____
<input type="checkbox"/> Oven	_____	<input type="checkbox"/> Other	_____	<input type="checkbox"/> Garbage Disposal	_____		_____

K Please indicate operating schedule:

Days of Operation	Hours of Operation			
Monday	Start: _____	Stop: _____	Start: _____	Stop: _____ or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Tuesday	Start: _____	Stop: _____	Start: _____	Stop: _____ or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Wednesday	Start: _____	Stop: _____	Start: _____	Stop: _____ or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Thursday	Start: _____	Stop: _____	Start: _____	Stop: _____ or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Friday	Start: _____	Stop: _____	Start: _____	Stop: _____ or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Saturday	Start: _____	Stop: _____	Start: _____	Stop: _____ or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed
Sunday	Start: _____	Stop: _____	Start: _____	Stop: _____ or <input type="checkbox"/> 24 Hours or <input type="checkbox"/> Closed

L Please provide the following miscellaneous information regarding your operations:

Miscellaneous Information			
No. of Employees		Do you wash plates?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Seating Capacity (Inside)		Chain Status	<input type="checkbox"/> Chain <input type="checkbox"/> Independent
Seating Capacity (Outside)		Seating	<input type="checkbox"/> Sit-down <input type="checkbox"/> Take-out <input type="checkbox"/> Both
Average No. of meals served during peak hour			

### Section III – Facility Information

M Are you currently operating your business from the sewer address indicated?  Yes  No

If the answer is No, indicate the date you plan to begin operation: \_\_\_\_\_

N Do you have a grease interceptor in this facility?  Yes  No  
(see detailed instructions in Appendix A for definition of grease interceptor)

O Property Owner

Name _____			
Street _____	City _____	State _____	Zip Code _____
Phone Number _____	Email Address _____		

### Section IV – Certification

*I have personally examined and am familiar with the information submitted in the attached document, and I hereby certify under penalty of law that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment..*

*I certify that upon issuance of the permit, this firm's operation and its resultant wastewater discharge will achieve consistent compliance with OCSD's FOG Ordinance and applicable federal and local wastewater discharge requirements. If the wastewater discharge does not meet all the applicable regulations, the company will modify its operations, install wastewater pretreatment equipment, or do whatever is necessary to meet discharge requirements.*

P Certification of Owner, a General Partner, or Chief Executive Officer

_____	_____
Name	Title
_____	_____
Signature	Date

## Section V – Contact Information for this Application

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Q Name of the person to contact concerning information provided in this application

Name		Phone	
Street	City	State	Zip Code

## Section VI – Mailing Information

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Mail the completed application to:  
Orange County Sanitation District  
Resource Protection Division - FOG Program  
10844 Ellis Avenue  
Fountain Valley, CA 92708-7018