

CENTRAL MARIN SANITATION AGENCY

Ordinance No. 2007-1

AN ORDINANCE CLARIFYING AND COMPLEMENTING THE CMSA FATS, OILS AND GREASE (FOG) ORDINANCE

SECTION 1 – INTRODUCTION

The Commission of the Central Marin Sanitation Agency of Marin County does adopt as follows:

The Central Marin Sanitation Agency (CMSA) previously adopted Ordinance No. 2006-2, the Fats, Oils and Grease (FOG) Ordinance. The FOG Ordinance was adopted to help prevent sanitary sewer overflows in the CMSA service area. The FOG Ordinance controls the discharge of FOG to the sanitary sewer from commercial food service establishments (FSEs) by establishing requirements for FSEs to install and maintain grease traps and interceptors.

In order to facilitate implementation and enhance effectiveness of the FOG Control Program, the subsequent sections of this Ordinance clarify elements of the FOG Ordinance and specify certain implementation procedures.

This ordinance is adopted pursuant to provisions of Section 6400 *et seq.* of the Health and Safety Code of the State of California.

SECTION 2 – DEFINITIONS

The definitions in this Section, defining words used in this Ordinance, are identical to the definitions in Section 4 of Ordinance No. 2006-2.

Fats, oils, and grease (FOG)- Any animal- or vegetable-based fats, oils, and grease generated from food preparation, food service, and kitchen clean up.

Food service establishment (FSE)- Includes but is not limited to any facility preparing and/or serving food for commercial use or sale. This includes restaurants, cafes, lunch counters, cafeterias, hotels, hospitals, convalescent homes, factory or school kitchens, catering kitchens, bakeries, grocery stores with food preparation (excluding stores with only food warming operations), meat cutting and preparation, and other food handling facilities not listed above where fats, oils, and grease may be introduced into the sanitary sewers.

Grease removal device (GRD)- A device used to remove FOG from kitchen wastes discharged to the sanitary sewer, *i.e.*, a grease

interceptor, grease trap, or other mechanical device.

Grease interceptor (or interceptor)- A GRD consisting of a partitioned vault, with a minimum volume of 750 gallons, that is typically installed in-ground or underground and outside of the building which it serves.

Grease trap (or trap)- A GRD designed to serve one to four kitchen fixtures. Traps are usually 50 gallons or less in volume and are typically located inside a kitchen, under the sink or in the floor.

CMSA (or Agency)- Central Marin Sanitation Agency

Major remodel- A remodel which includes significant change to the kitchen and which has a building permit valuation of at least \$100,000, not including the purchase and installation cost of any grease removal device installed during the remodel. [Language clarifying aspects of this definition is provided in Section 6 of this Ordinance No. 2007-1.]

New food service establishment- a) A new building which will contain a food service establishment (FSE); b) The installation of an FSE in an existing building which has not previously contained an FSE requiring a Restaurant Plan Check from Marin County Environmental Health Services.

Sewer line "hot spot"- A location in the sanitary sewer lines where one or more FOG-related sewer overflows have occurred, that requires significantly increased maintenance to prevent FOG-related line blockages, and/or where a significant potential exists for FOG-related line blockages to occur. The designation of a "hot spot" will be solely at the discretion of the Member Agency, based on the history and characteristics of the location.

Uniform Plumbing Code (UPC)- "2001 California Plumbing Code" (California Code of Regulations, Title 24, Part 5). This is the UPC currently referenced by the City of San Rafael Municipal Code. If there are future revisions to the UPC that relate to sizing of GRDs, the Agency reserves the right to use either the present or revised UPC, as appropriate.

SECTION 3 – VARIANCE FROM GREASE INTERCEPTOR REQUIREMENT

A. Referenced Sections from Ordinance No. 2006-2

Section 5.A. of CMSA Ordinance No. 2006-2 requires installation of a grease interceptor at any new food service establishment (FSE).

Section 5.B. requires installation of a grease interceptor at any FSE which is upstream of a documented sewer line “hot spot” in the sanitary sewer and which is undergoing a major remodel.

Section 5.C. of Ordinance No. 2006-2 requires existing FSEs which are upstream of a hot spot to install one or more grease traps.

B. Variance Procedure

A new or major remodeled FSE may be allowed to install one or more grease traps, instead of a grease interceptor, if one or both of the following conditions occur:

- a) Adequate slope cannot be provided for gravity flow between kitchen plumbing fixtures and the proposed location of the grease interceptor or from the interceptor to the sewer
- b) Adequate space cannot be provided, at the site, for installation and/or maintenance of a grease interceptor

Granting the variance shall be at the discretion of the CMSA General Manager or his designee. The applicant shall provide CMSA with documentation adequate to verify at least one of the above conditions.

Which kitchen fixtures are connected to a grease trap, and the sizing of the trap(s), shall be at the discretion of CMSA. In no case shall the installation and sizing be less than the minimum requirement specified in Section 5.C. of Ordinance No. 2006-2.

Any FSE granted a variance from the requirement for a grease interceptor shall be issued a “conditional wastewater permit,” as discussed in Section 5.C. of Ordinance No. 2006-2.

SECTION 4 – WOK STOVES AND SOUP KETTLES

A. Referenced Sections from Ordinance No. 2006-2

Section 5.C. of Ordinance No. 2006-2 specifies the minimum grease removal device (GRD) requirement for any existing FSE upstream of a documented FOG hot spot.

B. Wok Stoves and Soup Kettles

The minimum GRD requirement for any existing FSE upstream of a hot spot shall include installation of a grease trap on any device, including a wok stove or a soup kettle, that has as a drain installed to remove washwater from cooking surfaces. Alternatively, the drain may be taken out of service and disconnected from the sanitary sewer, if such action is acceptable to Marin County Environmental Health Services.

SECTION 5 – MINIMUM SIZE FOR GREASE TRAP INSTALLATION

A. Referenced Sections from Ordinance No. 2006-2

Section 5.C. of Ordinance No. 2006-2 specifies the minimum grease removal device (GRD) requirement for any existing FSE upstream of a documented FOG hot spot. An FSE not meeting this minimum requirement must install one or more grease traps to be in compliance.

B. Minimum Size for Installed Grease Traps

Where a new grease trap is to be installed in an existing FSE, the minimum size (flow rate) of the trap shall be 35 gpm. The following exceptions may be made, at the discretion of the Agency, in which case the minimum size shall be the minimum size specified in the Uniform Plumbing Code (20 gpm):

For grease trap installations draining a single, relatively small fixture such as a single compartment sink or a wok stove.

For installations where the outside dimensions of available 35 gpm traps are such that installation in the existing kitchen configuration is impractical.

SECTION 6 – DEFINITION OF "MAJOR REMODEL"

A. Referenced Sections from Ordinance No. 2006-2

Section 4 of Ordinance No. 2006-2 defines a "major remodel" of an FSE as, "A remodel which includes significant change to the kitchen and which has a building permit valuation of at least \$100,000, not including the purchase and installation cost of any grease removal device installed during the remodel."

B. Clarification of Definition of "Major Remodel"

"Significant change to the kitchen" shall mean remodel work inside the kitchen areas which includes either of the following:

Removal or addition of walls.

Drain line changes which involve invasive work to walls or floors.

If a building permit valuation is not available at the time CMSA must determine whether an FSE remodel project is a "major remodel," CMSA will use best professional judgment to estimate the cost of the project.

In the event of a re-model project that includes re-model work on an existing FSE but also includes substantial work on areas that are not part of the FSE (e.g., apartments with an attached FSE), CMSA shall consider only the valuation of the work on the FSE portion of the project.