

1 **HAMPTON ROADS FOG MODEL ORDINANCE**

2  
3 **FATS, OILS, AND GREASE (FOG)**

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5 **SECTION 1. PURPOSE AND APPLICABILITY**

- 6 a. The purpose of this Ordinance is to aid in preventing the introduction and accumulation  
7 of fats, oils, and grease into the City/County/Town's sanitary sewer system that may  
8 contribute to sanitary sewer blockages and obstructions. Food service establishments,  
9 grease haulers and other industrial or commercial establishments generating or collecting  
10 wastewater containing fats, oils, and grease are subject to this Ordinance. This Ordinance  
11 regulates such users by requiring that grease control devices and other approved strategies  
12 be installed, implemented and maintained in accordance with the provisions of this  
13 Ordinance and other applicable requirements of the City/County/Town of \_\_\_\_.
- 14 b. The provisions of this Ordinance shall apply to all food service establishments within the  
15 City/County/Town of \_\_\_\_ and to all grease haulers providing service to any such food  
16 service establishment.

17 **SECTION 2. DEFINITIONS**

18  
19 *Automatic Grease Removal Device (AGRD)* shall mean an active, automatic device that separates  
20 and removes FOG from effluent discharge and cleans itself of accumulated FOG at least once  
21 every twenty-four hours utilizing electromechanical apparatus. Unless otherwise approved,  
22 AGRDs shall not be installed.

23  
24 *Brown Grease* shall mean floatable fats, oils, grease and settled solids produced during food  
25 preparation that are recovered from grease control devices.

26  
27 *Commissary* shall mean a catering establishment, food service establishment, or any other place in  
28 which food, food containers, or supplies are kept, handled, prepared, packaged, or stored for  
29 distribution to satellite operations.

30  
31 *Core Sampler* shall mean a sampling tool, i.e. Sludge Judge, Dipstick Pro or equivalent, designed  
32 to take accurate readings of settleable solids, in a variety of liquids, to any depth.

33  
34 *Decanting* shall mean discharging of removed wastewater back into the grease control device, for  
35 the purpose of reducing the volume to be hauled or for recharging the grease control device.

36  
37 *Enforcement Response Plan* shall mean a system that sets forth the process and procedures for  
38 enforcement of this section by the City/County/Town of \_\_\_\_.

39  
40 *Fats, Oils, and Grease (FOG)* shall mean material, either liquid or solid, composed of fats, oils or  
41 grease from animal or vegetable sources. Examples of FOG include, but are not limited to, kitchen  
42 cooking grease, vegetable oil, bacon grease and organic polar compounds derived from animal  
43 and/or plant sources that contain multiple carbon triglyceride molecules. These substances are

44 detectable and measurable using analytical test procedures established in the United States Code of  
45 Federal Regulations at 40 CFR Part 136, as may be amended from time to time. FOG may be  
46 referred to herein as “grease” or “greases”.

47  
48 *Food Service Establishment (FSE)* shall mean any commercial, industrial, institutional, or food  
49 processing facility discharging kitchen or food preparation wastewaters including, but not limited  
50 to, restaurants, commercial kitchens, caterers, motels, hotels, cafeterias, correctional facilities,  
51 prisons or jails, cafeterias, care institutions, hospitals, schools, bars, churches, commissaries, and  
52 mobile food units. Any establishment engaged in preparing, serving or otherwise making food  
53 available for consumption by the public shall be included. Such establishments use one or more of  
54 the following preparation activities: cooking by frying (all methods), baking (all methods),  
55 grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, or poaching.  
56 Also included are infrared heating, searing, barbecuing, and other food preparation activity that  
57 produces a hot, non-drinkable food product in or on a receptacle that requires washing.

58  
59 *Grease Control Device (GCD)* shall mean a device used to collect, contain, or remove food waste  
60 and grease from the wastewater while allowing the remaining wastewater to be discharged to the  
61 **City/County/Town’s** sanitary sewer system by gravity. Devices include hydromechanical grease  
62 interceptors, automatic grease removal devices, gravity grease interceptors, or other devices  
63 approved by the **Director of Public Utilities**.

64  
65 *Gravity Grease Interceptor (GGI)* shall mean a plumbing appurtenance of not less than 250  
66 gallons (946 L) capacity that is installed to intercept free-floating fats, oils and grease from  
67 wastewater discharge. Separation is accomplished by gravity during a retention time of not less  
68 than 30 minutes. Unless otherwise approved, GGIs shall not be installed.

69  
70 *Grease Hauler* shall mean a contractor who collects the contents of a grease control device or  
71 yellow grease storage container and transports it to an approved recycling or disposal facility. A  
72 grease hauler may also provide other services related to grease control device maintenance for a  
73 food service establishment. A certified grease hauler has been certified through the HR FOG  
74 Program.

75  
76 *Hampton Roads Regional Technical Standards for Grease Control Devices* shall mean a set of  
77 regionally-approved standards required to properly size and select grease control devices.

78  
79 *HR FOG Program* shall mean the regionally-approved Hampton Roads FOG education, training,  
80 and certification programs for food service establishment employees and grease haulers  
81 administered by the Hampton Roads Planning District Commission (HRPDC).

82  
83 *Hydromechanical Grease Interceptor (HGI)* shall mean a plumbing appurtenance that is installed  
84 in the sanitary sewer system to intercept free-floating fats, oils and grease from wastewater  
85 discharge. Continuous separation is accomplished by air entrainment, buoyancy, interior baffling  
86 in combination or separately, and one of the following:

- 87 (1) Units directly connected, with an external flow control, with an air intake (vent)  
88 (2) Units directly connected, with an external flow control, without an air intake (vent)

- 89 (3) Units directly connected, without an external flow control, with or without internal flow  
90 control  
91 (4) Units indirectly connected, without an external flow control, with or without internal flow  
92 control  
93

94 *Mobile Food Unit* shall mean a food service establishment that is readily moveable from place to  
95 place at all times during operation and shall include but not limited to pushcarts, trailers, trucks,  
96 vans, or boats.

97  
98 *Renderable Yellow Grease Container* shall mean a closed, leak-proof container for the collection  
99 and storage of yellow grease only.

100  
101 *Sanitary Sewer System* shall mean a system of underground pipes that carries wastewater from  
102 bathrooms, sinks, kitchens, and other plumbing components to a wastewater treatment plant where  
103 it is filtered, treated and discharged.

104  
105 *Stormwater System* shall mean a network of structures, channels and underground pipes designed  
106 to carry stormwater (rainwater) to ponds, lakes, streams, rivers and other surface waters.

107  
108 *Yellow Grease* shall mean **renderable** FOG used in food preparation that has not been in contact or  
109 contaminated with other sources such as water, wastewater, or solid waste. An example of yellow  
110 grease is fryer oil, which can be recycled into products such as animal feed, cosmetics, and  
111 alternative fuel.

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113  
114 **SECTION 3. REGISTRATION REQUIREMENTS**

115 All FSEs shall be required to register their establishment and GCDs with the **FOG discharge**  
116 **management department**. Registrations shall be on forms provided by the **Department of Public**  
117 **Utilities** to ensure that the establishment understands its compliance responsibilities, that their  
118 GCDs are properly sized and maintained, as well as to facilitate inspection in accordance with the  
119 requirements established by the **Department of Public Utilities**.

- 120 a) Registration of FSEs with the **FOG discharge management department** is required before a  
121 business license will be issued.
- 122 b) Existing FSEs shall register all GCDs within ninety (90) days of the adoption of this  
123 ordinance. New establishments shall register when setting up their water and sewer service or  
124 prior to obtaining a certificate of occupancy and/or business license.
- 125 c) All grease haulers, owners, ~~and~~ ~~or~~ employees servicing GCDs for FSEs within the  
126 **City/County/Town** shall be required to obtain a certification from the HR FOG Program. ~~to~~  
127 service GCDs from the HR FOG Program.
- 128 d) All grease haulers shall obtain the required permits, certifications and/or approvals from the  
129 facility in which waste will be disposed. Grease haulers discharging to a Hampton Roads

130 Sanitation District (HRSD) treatment plant must obtain an HRSD Indirect Wastewater  
131 Discharge Permit.

- 132 e) FSEs shall have a current employee who has successfully been certified through completed  
133 the HR FOG Program on site at all times.

#### 134 SECTION 4. DISCHARGE LIMITS

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136 No person shall discharge or cause to be discharged from any FSE any wastewater with  
137 FOG in concentrations or quantities that will damage the sewers or sanitary sewer system, as  
138 determined by Section 301 D. of the Hampton Roads Sanitation District's Industrial Wastewater  
139 Discharge Regulations.

#### 141 SECTION 5. GREASE CONTROL DEVICES

- 142 a. *Requirements.* All FSEs shall have a GCD(s) meeting all applicable requirements for  
143 testing and certification of ASME A112.14.3, PDI G101, ASME A112.14.4, ~~or~~ CSA  
144 B481, or PDI G101. The GCD(s) shall be sized and selected in accordance with the  
145 Hampton Roads Regional Technical Standards for Grease Control Devices.

146 1) *New Establishments* – Except as provided in subsection (a) (2), FSEs shall be  
147 required to install, operate, and maintain a GCD in compliance with the  
148 requirements contained in ~~this Section~~ this Section. GCDs shall be installed and  
149 registered prior to the issuance of a certificate of occupancy and/or business  
150 license.

151 2) *Existing Establishments* – Existing FSEs in operation as of the effective date of  
152 this Ordinance shall be allowed to operate and maintain their existing GCD(s),  
153 provided such GCD(s) are in proper operating condition and not found to be  
154 contributing FOG in quantities sufficient to cause line stoppages or to necessitate  
155 increased maintenance of the sanitary sewer system. If ~~its GCD(s)~~ the FSE is  
156 determined to be contributing FOG by the sanitary sewer system owner and/or  
157 HRSD, ~~an existing~~ the FSE shall comply with the requirements of this Section.  
158 Existing FSEs that are renovated, altered, or expanded shall install a GCD(s)  
159 meeting the requirements of this Section. GCDs shall be sized and selected in  
160 accordance with the Hampton Roads Regional Technical Standards for Grease  
161 Control Devices, permitted, registered, installed and inspected as a condition of  
162 final approval of such renovation, alteration, or expansion.

163 3) *Retrofit* - Any existing FSE may be required to install or upgrade a GCD if such  
164 FSE is contributing FOG to the sanitary sewer system, as determined by the  
165 sanitary system owner and/or HRSD. Such devices shall be registered with the  
166 locality within 30 days of installation and shall comply with the requirements of  
167 this Section.

- 168 c. *Installation of Grease Control Devices*

- 169 1) GCDs shall be installed by a plumber licensed in the Commonwealth of Virginia.  
170 Every GCD shall be installed and connected so that it is readily accessible for  
171 inspection, cleaning, and removal of the intercepted waste at any time. Installation  
172 shall be in compliance with the Virginia Plumbing Code and the manufacturer's  
173 instructions.
- 174 2) GCD covers shall meet the following load rating requirements:  
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176 i. Indoor, foot traffic only, minimum 300 pounds  
177 ii. Indoor, pallet jack or forklift traffic, minimum 2000 pounds  
178 iii. Outdoor, non-vehicular traffic, minimum 2000 pounds  
179 iv. Outdoor, vehicular traffic, minimum AASHTO M306 H20/HS20
- 180  
181 3) GCD's shall have their manhole covers secured at all times with bolts, or locking  
182 mechanisms, or shall be of sufficient weight to prevent unauthorized access, or  
183 shall have a safety apparatus secured in place under the cover to prevent  
184 accidental entry if the cover is not secured in place.

185 d. *Maintenance of Grease Control Devices*

- 186 1) All GCDs shall be maintained at the FSE's and/or owner's expense. Maintenance  
187 shall include the complete removal of all contents, including floating material,  
188 wastewater and settled solids. Decanting or discharging of removed waste back  
189 into the ~~grease interceptor~~~~grease control device~~GCD, ~~or~~ private sewer line or into  
190 any portion of the **City/County/Town's** or HRSD's sanitary sewer system is  
191 prohibited. GCDs shall be maintained by a certified grease hauler unless otherwise  
192 approved (see Hampton Roads Regional Technical Standards for Grease Control  
193 Devices Appendix C).
- 194 2) Gravity Grease Interceptors shall be pumped out completely when the total  
195 accumulation of FOG, including floating solids and settled solids, reaches twenty-  
196 five percent (25%) of the overall liquid volume. At no time shall a GGI be  
197 cleaned less frequently than once every 90 days unless approved by the **Director**  
198 **of Public Utilities**. ~~Utilities~~.
- 199 3) Automatic Grease Removal Devices shall be (1) opened and inspected for food  
200 solids, FOG buildup, and functionality of all parts at a minimum of once every  
201 two weeks by the FSE; (2) the food solids collection basket and the grease  
202 collection bucket shall be emptied of their contents at a minimum of once per day  
203 by the FSE; (3) the device shall be inspected and completely cleaned at a  
204 minimum of every 90 days by a certified grease hauler, unless otherwise allowed  
205 by the **Director of Public Utilities**. -In no event shall the content of food solids  
206 and FOG exceed twenty-five percent (25%) of the overall liquid depth of the  
207 device.
- 208 4) Hydromechanical Grease Interceptors shall be cleaned before their maximum  
209 capacity is reached as established by the manufacturer in accordance with third-

210 party validated test reports. The maintenance frequency shall be determined in  
211 accordance with the sizing and selection requirements for HGIs in the Hampton  
212 Roads Regional Technical Standards for Grease Control Devices. At no time shall  
213 an HGI be cleaned less frequently than once every 90 days, or as approved by the  
214 **Director of Public Utilities**.

- 215 5) The **Director of Public Utilities** may establish a more frequent cleaning schedule if  
216 the FSE is found to be contributing FOG to the sanitary sewer system.

217 e. *Use of Additives*

218 The use of additives (including, but not limited to, products that contain solvents,  
219 emulsifiers, surfactants, caustics, acids, enzymes or bacteria) by FSEs is prohibited  
220 as grease management control. However, additives may be used to clean the FSE  
221 drain lines so long as the usage of such additives will not cause FOG to be  
222 discharged from the grease control device to the sanitary sewer system. The use of  
223 additives shall not be substituted for the maintenance procedures required by this  
224 Section.

225 f. *Waste Disposal*

- 226 1) Waste removed from a grease control device shall be disposed of at a facility  
227 permitted to receive such wastes. Waste material removed from GCD(s) shall not  
228 be discharged directly or indirectly into any portion of the sanitary sewer system,  
229 private sewer line, stormwater system, or returned to any ~~GCD~~. GCD.

- 230 i. FSEs approved for self-cleaning shall dispose of the waste in accordance  
231 with the requirements contained in the Hampton Roads Regional Technical  
232 Standards for Grease Control Devices Appendix C.

- 233 2) FSEs shall dispose of yellow grease in a renderable yellow grease container,  
234 where contents will not be discharged to the environment. Yellow grease shall not  
235 be poured or discharged into the **City/County/Town's** or HRSD's sanitary sewer  
236 system.

237 g. *Inspection of Grease Control Devices*

238 The **Director of Public Utilities** or his designee shall have the right of entry into any FSE,  
239 during reasonable hours, for the purpose of making inspections, observation,  
240 measurements, sampling, testing or records review of the sanitary sewer system and GCDs  
241 installed in such building or premises to ensure that the FSE is in compliance with this  
242 Section. The owner or occupant may accompany the Director or his designee. Operational  
243 changes, maintenance and repairs required by the Director or his designee shall be  
244 implemented as noted in the written notice received by the FSE.

245 h. *Record Keeping*



- 246 1) FSEs shall retain and make available for inspection and copying records of all  
247 cleaning and maintenance for the previous three (3) years for all GCDs. FSEs  
248 utilizing a certified grease hauler shall provide cleaning and maintenance records  
249 meeting the requirements as outlined in Section 6. Where approved, FSEs  
250 performing GCD cleaning and waste disposal ~~shall~~ provide cleaning and  
251 maintenance records as required by the Director of Public Utilities or his designee.  
252 Such records shall be kept on site and shall be made immediately available to any  
253 employee of the **Department of Public Utilities** upon request.
- 254 2) FSEs shall retain and make available for inspection and copying records of yellow  
255 grease disposal for the previous three (3) years. FSEs utilizing professional yellow  
256 grease rendering services ~~shall~~ provide service records meeting the  
257 requirements as outlined in Section 6. Such records shall be kept on site and shall  
258 be made immediately available to any employee of **Department of Public Utilities**  
259 upon request.

260 **SECTION 6. GREASE HAULER REQUIREMENTS**

- 261 a. Any person collecting, pumping or hauling waste from GCDs or ~~renderable~~ yellow grease  
262 containers located within the municipal boundaries of the **City/County/Town** shall be  
263 certified by the HR FOG Program and hold all required waste hauling permits.
- 264 b. The grease hauler shall notify the locality within twenty-four (24) hours of any incident  
265 required to be reported to the Virginia Department of Environmental Quality.
- 266 c. Grease haulers shall retain and make available for inspection and copying, all records  
267 related to grease interceptor pumping and waste disposal from businesses located in the  
268 **City/County/Town's** wastewater service area. Records shall include, at a minimum, the  
269 dates of cleaning/maintenance, the name and business address of the company providing  
270 the service, the name of the technician(s) performing the service and their associated HR  
271 FOG Program certification number(s), the condition of the GCD, the volume of waste  
272 removed in the cleaning, and the following sludge judge measurements (in inches): total  
273 depth, depth of solids, and depth of grease, and anticipated destination of waste disposal.  
274 Photos of the GCD before and after cleaning are recommended. These records shall  
275 remain available for a period of at least three (3) years. The **City/County/Town** may  
276 require additional record keeping and reporting, as necessary, to ensure compliance with  
277 the terms of this Ordinance.
- 278 d. Yellow grease rendering companies shall retain and make available for inspection and  
279 copying, all records related to yellow grease collected from businesses located in the  
280 **City/County/Town's** wastewater service area. Yellow grease disposal logs shall include,  
281 at a minimum, the dates of pickup, name and business address of the company and person  
282 performing the pickup, the volume of yellow grease removed, and anticipated destination  
283 of the yellow grease.
- 284 e. Submission of all reporting shall be as follows:
- 285 1) **Name of form** by mail, email or fax

286 2) Approved electronic method

287 f. Renderable yellow grease containers shall be labeled with the following information:

- 288 1) Name of company supplying the container(s)
- 289 2) Phone number of company supplying the container(s)
- 290 3) Name and/or address (including unit number) of the FSE where the container has
- 291 been placed

292 **SECTION 7. FEES**

294 a. Fees provided for in this Ordinance are separate and distinct from all other fees  
295 chargeable by the City/County/Town. Fees applicable to this Ordinance are as follows:

- 296 1) FSE registration fees shall be in the amount of \_\_\_\_\_ and shall be
- 297 payable at the time of submittal of the registration
- 298 2) FSE inspection and re-inspection fees shall be in the amount of \_\_\_\_\_
- 299 and shall be due upon invoice by the City/County/Town. Such fees may be added
- 300 to the FSE’s public utility bill.

301 **SECTION 8. COMPLIANCE**

302 ~~a. A.~~—The City/County/Town may require existing FSEs to modify or repair any  
303 noncompliant GCD and appurtenances as noted in the written notice received by the  
304 FSE.

305 ~~a.~~—The City/County/Town may require grease haulers to take corrective action as noted in the  
306 written notice received by the hauler.

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308 **SECTION 109. VIOLATIONS & PENALTIES**

310 a) ~~a)~~—Any person who, intentionally or otherwise, commits any of the acts prohibited by  
311 this ordinance shall be liable to the City/County/Town for all costs of containment,  
312 cleanup, abatement, removal and disposal of any substance unlawfully discharged into the  
313 sanitary sewer system, as well as the costs of any damages or regulatory fines, that are  
314 proximately caused by such violations.

315 b) ~~b)~~—Any person who, intentionally or otherwise, commits any of the acts prohibited by  
316 this Ordinance shall be subject to a fine in an amount not to exceed one thousand dollars  
317 (\$1,000.00) per violation. Each day of failure to comply with a requirement of this  
318 Ordinance shall constitute a separate violation. The court assessing such fines may, at its  
319 discretion, order such fines to be paid into the treasury of the City/County/Town for the  
320 purpose of abating, preventing or mitigating environmental pollution.



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- c. e) — Enforcement will be in accordance with the associated Enforcement Response Plan (NOTE: Some jurisdictions may want to incorporate the ERP into the ordinance while others may adopt the ERP administratively). The City/County/Town may revoke the FSEs business license, withhold reissuance of a business license, or terminate water and/or sewer services for ~~continuing~~ violations of this Ordinance. The City/County/Town may revoke the grease hauler’s HR FOG Program certification or withhold reissuance of the HR FOG Program certification for violations of this Ordinance.
  
- d. d) — In addition to any other remedy for the violation of this Ordinance, the Director may bring legal action to enjoin the ~~continuing~~ violation of this ordinance, and the existence of any other remedy, at law or in equity, shall be no defense to any such action.
  
- e. e) — The remedies set forth in this section are cumulative, not exclusive; and it may not be a defense to any action, civil or criminal, that one (1) or more of the remedies set forth herein has been sought or granted.

**SECTION ~~11~~10 EFFECTIVE DATE**

This Ordinance shall become effective on \_\_\_\_\_.

