

Round Mountain Water and Sanitation District

A POLICY FOR

**INCORPORATING REQUIREMENTS FOR THE MANAGEMENT
OF FATS, OILS AND GREASE (FOG) BY FOOD SERVICE
ESTABLISHMENTS AND OTHER RELATED COMMERCIAL
ENTITIES TO PROTECT THE MUNICIPAL WASTEWATER
SYSTEM**

WHEREAS, Round Mountain Water and Sanitation District (RMWSD), a member of the Special District Association of Colorado, operates and maintains a public wastewater system for the use and benefit of the inhabitants of Westcliffe and Silver Cliff within it's service area; and

WHEREAS, RMWSD's wastewater treatment plant operates under a permit issued by the CDPHE that requires RMWSD to protect it's wastewater treatment works from pollutants that would cause obstructions to flow or pass-through, or interference, or otherwise be incompatible with the operation of the wastewater treatment works; and

WHEREAS, RMWSD finds that the uncontrolled discharge of fats, oils and grease into it's sewer system poses a significant health risk to the public health, safety and welfare by potentially clogging and /or polluting the system; and

WHEREAS, RMWSD finds that the risk of such clogging and pollution is increased upon properties used for the sale of prepared food or for the preparation of such food for sale due to the higher volume of grease, fats and oils produced on such properties as compared to low-density residential properties upon which people generally prepare food for their own consumption; and

WHEREAS, RMWSD finds that the installation, inspection and proper maintenance of grease traps significantly reduces the risk and frequency of sewer line blockages and back-ups caused by the placement of grease, fats and oils in sewage disposal systems; and

WHEREAS, based upon the foregoing findings, RMWSD finds that it is necessary for the preservation of public health and safety to require that the owners of properties used regularly for the sale of prepared food or for the preparation of food for sale, install, have inspected periodically, and maintain in good working order, grease traps on private sewer service lines to prevent grease and similar substances from causing blockages, back-ups and pollution to and within the District's main sewer service lines; and

WHEREAS, in order to comply with federal and state mandates, and - more importantly - to do what is necessary and prudent to protect the RMWSD's wastewater collection system and the health and welfare of those connected to it's system, the

RMWSD Board of Directors have determined that a fat, oils and grease management policy, as hereinafter set forth, should be adopted and enforced.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF DIRECTORS OF THE ROUND MOUNTAIN WATER AND SANITATION DISTRICT, as follows,

There is hereby added to the Operations Policies of the Round Mountain Water and Sanitation District this:

**POLICY CONCERNING
FATS, OILS AND GREASE (FOG) MANAGEMENT**

Sections:

01.15.01 Definitions

01.15.02 Requirements

01.15.03 Compliance procedures

01.15.04 Violation - Penalties

01.15.05 Appeals

01.15.06 Jurisdictional issues and conflicts

01.15.01 Definitions: For purposes of this Chapter, the following terms and phrases shall have the meaning indicated, unless otherwise provided:

Consumer:

Any public or private user of any public utility system responsible for payment for services provided to real property. A "Consumer" is customarily or typically the owner of the premises or property receiving services from the RMWSD and the party ultimately responsible for payment of all fees, rates, and charges for such services imposed pursuant to this policy

Director:

Means the Operator in Responsible Charge of the Round Mountain Water and Sanitation District.

FOG:

Fats, oil, and grease, a term which generally refers to animal and vegetable glycerides discharged from food processing and serving industries. These substances are detectable and can be measured using standard analytical techniques. They are generally referred to as grease or greases.

Food Service Establishment (FSE):

A facility that prepares and/or packages food for sale or consumption. These include but are not limited to restaurants, food processing facilities, food manufacturers, seafood packing plants, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools, dairies, slaughter houses, meat packers, food courts, caterers and theme parks.

Gray Water:

All of the liquid and particles suspended in the liquid in a trap after lighter-than-water materials have risen to the top and heavier-than-water materials have sunk to the bottom.

Grease:

Animal and vegetable glycerides discharged from food processing and serving industries.

Grease Trap:

A device to which grease and food wastes are directed from the food service facility operations. It functions to separate and retain waterborne greases and solid food particles prior to the wastewater exiting the trap and entering the sanitary sewer system. It also collects solids and grease from kitchen floor drains.

Hazard, degree of:

Means an evaluation of the potential risk to public health and the adverse effect of the hazard upon the wastewater collection system.

Mailing:

To "mail" or a "mailing" shall include any one or all of the following: (1) the deposit in the United States Mail or deposit with a similar and comparable delivery service, postage and all fees prepaid, properly addressed to the service address or a known current mailing address for the Consumer; (2) hand posting in a conspicuous place at the address intended, including but not limited to attachment to the main entry door of the addressed premises; (3) hand delivery to a person at the intended address who appears to be over the age of eighteen (18) years of age. An affidavit of the person conducting the mailing that mailing was performed in accordance with this Policy shall constitute a rebuttable presumption that mailing was performed. Where a Consumer's address is unknown and cannot be determined by reasonable sources, publication once in a newspaper of general circulation within Custer County, Colorado, shall be equivalent to and shall constitute mailing for purposes of this Policy.

Sanitary Sewer Overflow:

The backing up and overflowing of the sewer system as a result of clogging or the obstruction of flow in the City's sewer system due to the discharge of wastewater with excessive fats, oil, greases, and sand.

Sewage System:

The wastewater treatment plant or sewer system of the RMWSD, including but not limited to all the collector system piping, lines, manholes, lift stations, and treatment plants.

Unit:

Unless otherwise specifically defined by another section of this Title, a "unit" shall mean: (1) in reference to a residential use, a residential dwelling, mobile home, or apartment house or motel, designed primarily for occupancy by one person, one family, or otherwise intended as a single living or sleeping area whether temporary or permanent; or (2) in reference to a non-residential use, the property or the use controlled by a "Consumer" as defined by this Section.

Utility:

Means the Round Mountain Water and Sanitation District.

01.15.02 Requirements

A. Implementation and Enforcement of a Fats, Oils and Grease (FOG) Management Program. The director is vested with the authority and responsibility for implementing and enforcing an effective FOG management program with the provisions of this Chapter.

B. Grease Traps are required at all identified Food Service Establishments (FSE) for the safety and protection of the RMWSD wastewater collections system and customers connected to that system. The director may require other customers not identified as a FSE to install a grease trap if it is determined that the degree of hazard from a sewer service connection justifies such an action.

C. Grease Control Devices:

1. New Food Service Establishments (FSEs) shall be required to install, operate, and maintain, at their own expense, a grease control device in compliance with the requirements of the International Plumbing Code and this Code.
2. Existing FSEs in operation as of the effective date of this Policy may continue to operate and maintain their existing grease control devices, provided such grease control devices are in proper operating condition. An existing FSE shall install a new grease control device, at their own expense, that complies with the requirements of the International Plumbing Code if its grease control device is determined not to be in proper operating condition. Existing FSEs that do not currently have a grease control device shall install, at their own expense, a grease control device that complies with the requirements of the International Plumbing Code whenever there is a change of ownership of the real property or issuance of a building permit for remodel of the FSE kitchen.
3. Installation. Grease control devices shall be installed by a licensed plumber. Where possible, a grease control device shall be located outside. When installed inside, a grease control device shall be located away from the food preparation area. Every grease control device shall be installed and connected so that it is readily accessible for inspection, cleaning, and removal of the intercepted food waste and grease at any time.
4. Maintenance. Grease control devices shall be properly maintained at all times. Maintenance shall include the complete removal of all contents, including floating materials, wastewater and settled solids. Decanting or discharging of the removed waste back into the grease control device or private sewer line or into any portion of the Town's wastewater collection system is prohibited. In no event shall the content of food solids and FOG exceed twenty-five percent (25%) of the overall liquid depth of the device.
5. Use of additives that prevent grease from accumulating in grease control devices is prohibited.

01.15.03 Compliance procedures

A. Evidence of Maintenance. The director shall have the authority to make such inspections as are authorized by law during reasonable hours for the purpose of inspecting, observing, taking measurements, sampling, testing or reviewing the records of the grease control device (s) installed in an FSE. Upon request, FSEs must show evidence of an active contract to service all grease control devices on the premises and haul the waste. The FSE itself must provide evidence of regular maintenance and proper waste disposal.

B. The owner of each property within the District that has a grease trap as part of its sewer shall, not less than once within each calendar year, arrange for an inspection of the grease trap by either the Director or a licensed plumber. In the event that such an inspection is performed by a licensed plumber, the owner shall provide a report to the RMWSD that has been prepared by such plumber and states the plumber's opinion as to whether the grease trap is in good working order. In the event that the plumber's opinion is that the grease trap is not in good working order, the report shall contain the plumber's recommendations as to actions to be taken to put the grease trap in good working order.

C. The Director is authorized to promulgate rules, regulations and policies consistent with this Chapter in furtherance of its intent and purpose.

01.15.04 Violations - Penalties

A. Upon the discovery of a violation of this Policy, in addition to any other remedy available to the RMWSD, the Director or a designee may cause a written notice to be sent to the owner and occupant of the property upon which the violation has occurred or continues, requiring the violation specified in the notice be cured within thirty (30) days of the date of notice. RMWSD shall send such written notice to the occupant and the owner of the subject property by first-class mail to the last known address of each party as reflected on RMWSD's water utility records. The notice shall include the following:

1. Notification the water service shall be suspended on the date specified in the notice, which date shall be no sooner than thirty (30) days after the mailing of the notice;
2. The reason(s) for suspension of service; and
3. Notification that, if the occupant or owner does not believe reasonable cause exists for the proposed suspension, a conference may be requested and held with the RMWSD Board of Directors prior to suspension.

01.15.05 Appeals

The owner or occupant may request, prior to the date of service suspension set forth in the notice, a conference with the RMWSD Board of Directors. At the conclusion of the conference, the RMWSD Board of Directors shall decide whether reasonable cause exists for the proposed suspension and shall inform the owner or occupant of their decision. If a

conference has been requested and the RMWSD Board of Directors has determined that reasonable cause exists for the proposed suspension or, if prior to 4:00 p.m. on the date specified in the notice the conference has not been requested and held or the cause for suspension of service has not been cured, then water service shall be suspended and shall not be reinstated until the cause for the suspension has been cured. A \$100.00 service fee shall be charged for turning off such water and for restoring such service.

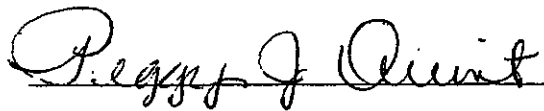
01.15.06 Jurisdictional issues and conflicts

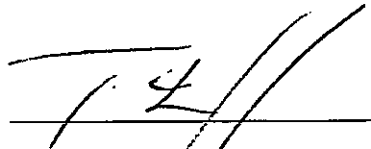
In the event the provisions of the Chapter are in conflict with the requirements of any plumbing code or regulation applicable in the cities of Westcliffe and Silver Cliff, the provisions of this chapter shall apply to the extent necessary to resolve the conflict and shall be binding upon all plumbing officials performing official duties within the cities of Westcliffe and Silver Cliff.

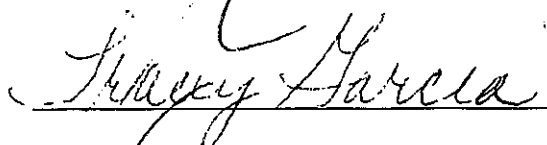
BE ADVISED that the foregoing Bill for this Fats, Oils and Grease Management Policy will be considered for adoption on the second reading at a regular meeting of the RMWSD Board of Directors to be held at 5:00 p.m. on Thursday, February 5, 2015 at the Downstairs Conference Room, 59000 Hwy 69 N, at which time all persons wishing to speak will be heard.

Tracey Garcia, District Manager
Round Mountain Water and Sanitation District
Westcliffe, Colorado

The Board of Directors of Round Mountain Water and Sanitation District have approved this policy on February 5, 2015 and will put into place until such time that it needs to be modified by the Board.

 _____ Board Chair, Peggy Quint

 _____ Board Treasurer, Trinity Huffman

 _____ District Manager, Tracey Garcia

 _____ ORC, David Schneider