

COMMERCIAL WASTE HANDLING MODEL ORDINANCE

SECTION I. PURPOSE

Excessive amounts of fats, oils and grease, grit, sand and other solid or viscous materials can cause blockage and obstruction in the sanitary sewer system, causing untreated wastewater to overflow into the environment. Much of the waste material that has the potential to cause blockage or obstruction originates from commercial facilities, such as food preparation and vehicle maintenance facilities.

This ordinance sets forth minimum and uniform requirements for the treatment and disposal of commercial waste into the sanitary sewer system, and the transportation and ultimate disposal of commercial waste sludge and byproducts.

The objective of this ordinance is:

- to minimize the discharge of pollutants associated with commercial waste discharged into the sanitary sewer system that may interfere with normal operation of the system, and
- to assure that the sludge and byproducts removed from commercial waste treatment systems are transported and disposed of in accordance with Chapter 391-3-6-.24 of the Rules and Regulations of the State of Georgia, Department of Natural Resources, Environmental Protection Division.

SECTION II. DEFINITIONS AND ABBREVIATIONS

All terms used in this Ordinance shall be interpreted in accordance with the definitions and abbreviations as set forth in this Section, or in any other Section of this Ordinance:

A. Definitions

1. “Commercial facilities” means a facility constructed and intended to produce commercial, domestic, or industrial wastewaters, including facilities intended to collect, transport, and treat storm water runoff.
2. “Commercial Wastes” means:
 - a) Non-toxic, non-hazardous liquid wastewater from commercial facilities;

- b) Grease interceptor contents generated by a commercial food operation or institutional food preparation facility, including without limitation, fats, grease, and food scraps; or
 - c) Any oil waste residue produced from vehicle maintenance or washing that discharge to an oil-water separator or sand trap;
3. “Commercial Waste Discharge Permit” is a wastewater discharge permit issued to commercial facilities by the local governing authority.
 4. “Commercial Waste Transporter Permit” is a permit issued by a local governing authority for an individual tank truck.
 5. “EPD” means the State of Georgia, Environmental Protection Division.
 6. “FOG” means fats, oils, and grease.
 7. “FOG Separator” means a structure or device designed to collect and retain oils, grease, and fatty substances usually found in kitchen or similar wastes.
 8. “Grease Interceptor”: means a structure or device designed to collect and retain oils, grease, and fatty substances usually found in kitchen or similar wastes.
 9. “Grease Trap” refers to an FOG separator.
 10. “Grit Trap” means a structure or device designed primarily for the accumulation and removal of grit.
 11. “Hazardous Waste” means any solid waste that has been defined as a hazardous waste in regulation promulgated by the Board of Natural Resources, Chapter 391-3-11.
 12. “LGA” means local governing authority.
 13. “Local Governing Authority” means the governing authority of a county or municipality, or the designee of any county or municipality in this state. The local governing authority for a county would typically be the County Board of Commissioners and for a municipality would typically be the City Council.
 14. “mg/l” means milligrams per liter.
 15. “Oil-water separator” means a structure or device designed primarily to collect and retain oily substances.
 16. “Originator” means the owner or operator of the grease or FOG interceptor, grit trap, oil-water separator, or sand trap from which commercial wastes are removed.
 17. “Registration” means acceptance by the Division of a transporter.

18. “Registered Commercial Waste Transporter” is a business/owner registered by the State of Georgia, Environmental Protection Division and whose tank trucks are permitted by a local governing authority.

19. “Sand Trap” means a receptacle designed for the accumulation and removal of sand, grit, rocks and other similar debris.

20. “Septic Wastes” means the contents of a septic tank.

21. “Transporter” means any person or firm, which owns or operates one or more waste tank trucks that receive or dispose of commercial waste in this state.

22. “Tank truck” means any vehicle that removes and transports commercial wastes.

23. “User” means any person who contributes, causes, or permits the contribution of wastewater into the sanitary sewer system.

B. Abbreviations

1. FOG – Fats, oil and grease.

2. EPD – Environmental Protection Division of the Department of Natural Resources, State of Georgia.

3. LGA – Local governing authority.

SECTION III. COVERAGE AND EXCLUSIONS

1. This ordinance applies to any facility that generates commercial wastes, to any person who removes commercial wastes, to any person who processes commercial wastes, and to any person who accepts commercial wastes for final disposal.

2. This ordinance applies only within the geographical and political boundaries of the LGA.

SECTION IV. REQUIREMENTS

A. General

1. **Responsibility** - It is the responsibility of the originator to assure that the commercial waste removed from the originator’s facility is properly treated and discharged to the sewer system, wastewater, sludge and byproducts are transported by a permitted transporter, and disposed of at an EPD approved commercial waste processing and disposal facility.

The originator of commercial waste shall not allow a transporter to remove waste from their facility without a current commercial waste transporter permit issued by an LGA.

2. Permitting Process - There are two types of permits required under this Ordinance; Commercial Waste Discharge Permit (Originator) and Commercial Waste Transporter Permit.

The permits for the originator and transporter are issued by the LGA under this Ordinance. However, prior to obtaining a Commercial Waste Transporter Permit, the transporter must first register as a transporter of commercial waste with the EPD and obtain a Transporter registration number. This registration number must be included in the permit number issued by the LGA.

Specific details related to permits are covered later in this Ordinance.

3. Manifest Required - All originators, transporters, and processing and disposal site operators, involved in the removal, transport, and disposal of commercial wastes and commercial waste sludge and byproducts, shall participate in proper maintenance of manifests. This manifest will require signatures from the originator, transporter and disposer in order to maintain and establish accountability. The approved manifest is a multi-copy form. An approved sample manifest is included in Appendix A – Approved Manifest.

a) The originator shall:

(1) Sign the received manifest form and maintain such record for a period of three years.

(2) Upon receipt of the completed copy of the manifest from the transporter, the originator must provide a copy of the manifest within _____ days to the LGA. A manifest is considered complete after the commercial waste is delivered and disposed of at the commercial waste disposal or processing facility, and the manifest has been signed and completed by the disposal or processing facility.

(3) Keep a copy of all manifests for a period of three (3) years on site and shall make available for inspection by the LGA.

(4) Report any spills to the LGA upon becoming aware of a spill that could impact any surrounding areas such as storm drains, adjacent streams or ground surface where the transporter has removed waste from the facility's pretreatment system. Failure to notify the LGA of a spill will constitute a violation and fines may be assessed to the commercial waste originator as well as the transporter.

b) The transporter shall:

(1) Utilize a manifest for each location being serviced.

(2) Sign the transporter portion of the manifest and leave a copy of the manifest with the originator.

(3) Present the manifest to the disposal operator to complete and sign the disposal section, and shall leave one copy of the manifest with the disposal site operator.

(4) Send a completed copy of the manifest to the originator with the signature of the disposal site operator within 30 days.

(5) Keep one copy of the completed manifest form demonstrating delivery to the disposal site operator for their records and shall maintain such records for a period of three years; except that the transporters manifest (or copy thereof) covering not less than the immediately preceding 30 day period for a particular tank truck shall be kept in the transporter's tank truck. All such records shall be available for inspection.

(6) Ensure that the manifest contains all the information required on the manifest form prescribed and furnished from time to time by the Division.

(7) A transporter must remove the entire contents of any commercial tank that is serviced and dispose of such contents, unmingled with hazardous wastes or septic wastes, only at a facility authorized to receive such waste.

(8) A transporter shall provide a copy of the commercial waste transporter permit for the tank truck to each disposal site where the transporter disposes of commercial wastes.

c) A processing or disposal facility of commercial waste shall maintain copies of all manifests of tank pumping at their principal place of business for a period of three (3) years and make such records available for inspection.

4. Limitations – No user shall introduce into the sewer system any materials in an amount which would cause interference with the system. In addition to any limitations set forth in the pretreatment ordinance, no user shall introduce or cause to be introduced into the sewer system the following:

a) Solid or viscous materials in amounts which will cause obstruction of the flow to the sanitary sewer system

b) Petroleum or mineral oils in concentrations greater than 100 mg/l.

c) Trucked or hauled materials, except at approved points that may be designated by the LGA as commercial waste disposal facilities.

d) FOG of animal or vegetable origin in concentrations greater than 100 mg/l.

B. Originator

1. Food Service Establishment.

a) **Permit Required** – No food service establishment shall discharge commercial wastewater into the sanitary sewer system without a Commercial Waste Discharge Permit issued by the LGA. Application for such permit must be made on a form furnished by the LGA. The permit is valid for up to five years and is non-transferable. A copy of the application is included in Appendix B – Permit Application Form. A sample copy of the permit is included in Appendix C – Sample Permit (Optional).

b) **FOG Separator Required** – All new restaurants, institutional kitchens, or other food service establishments defined as Commercial users of the system, shall provide approved FOG and settleable solids removal equipment or facilities sufficient to meet the limitations set forth in this Ordinance. The number and size(s) of the system shall be determined by using the appropriate method as established in Appendix D – FOG Separator Sizing, or by good engineering practices. Existing Commercial users will be assessed on an individual basis, and will require approval of LGA.

c) The separator(s) shall exclude sanitary wastewater and be located outside of any building and accessible for proper maintenance and inspection. In areas where additional weight loads may exist, the separator(s) shall be installed with traffic bearing covers. Manhole openings must be provided for inspection and cleaning purposes.

d) The equipment or facilities shall be installed and maintained by the Originator.

e) **Alternative Treatment Methods** – The use of any alternative method of treatment is prohibited without written approval of the LGA. Alternative treatment systems, such as mechanical grease recovery devices, shall be used only after a case by case evaluation and authorization of the LGA.

f) The use of chemicals, enzymes and bacteria is prohibited, unless authorized by the LGA. The use of any additives shall not be considered as an alternative to an adequate treatment system or in lieu of regular maintenance, as prescribed in this Ordinance.

g) Maintenance Required– All FOG separators shall be maintained at the originators expense. Maintenance shall include the complete removal of all contents of the separator. All FOG separators shall be pumped out at a minimum of once every (LGA establish), or more frequently as required by the LGA, or as established in the Commercial Waste Discharge Permit.

2. Maintenance and Service Facilities.

a) Permit Required (optional) – No maintenance or service facility shall discharge commercial wastewater into the sanitary sewer system without a Commercial Waste Discharge Permit provided by the LGA. Application for such permit must be made on a form furnished by the LGA. The permit is valid for one year and is non-transferable. A copy of the application is included in Appendix B – Permit Application Form. A sample copy of the permit is included in Appendix C – Sample Permit.

b) Sand/Oil Separator Required – All maintenance or service facilities defined as Commercial users of the system, shall provide approved oil and solids removal equipment or facilities sufficient to meet the limitations set forth in this Ordinance. The type, number and size(s) of the system shall be determined by current plumbing codes or good engineering practices.

c) The separator(s) shall exclude sanitary wastewater and be located outside of any building and accessible for proper maintenance and inspection. In areas where additional weight loads may exist, the separator(s) shall be installed with traffic bearing covers. A manhole opening must be provided over the discharge pipe for inspection purposes. A separate monitoring manhole may be required by the LGA.

d) The equipment or facilities shall be installed and maintained by the Originator.

e) Maintenance Required–All separators shall be maintained at the originators expense. Maintenance shall include the complete removal of all contents of the separator. All separators shall be pumped out at a minimum of once every (LGA established), or more frequently as required by the LGA.

C. Transporter

1. Registration Required - Any transporter, owning or operating one or more waste tank trucks that receive, transport or dispose of commercial waste in this LGA, must be registered with EPD.

2. Permit Required –

a) No transporter shall pump-out or vacuum FOG separators, grit traps, sand traps, or oil-water separators without a valid commercial waste transporter permit issued by an LGA.

b) Application for the permit must be made on a form prescribed by the EPD. A copy of the Transporter Permit Application is provided in Appendix E – Transporter Permit Application.

c) The transporter shall include the location of the disposal site(s) on the commercial waste transporter permit application.

d) No commercial waste transporter permit shall be issued if the owner of the tank truck(s) is not registered with EPD.

e) A commercial waste transporter permit shall be required for each individual tank truck owned and operated by a transporter.

f) The commercial waste transporter permit issued by the LGA for operation of a tank truck shall be valid throughout the state.

g) A transporter, who has trucks permitted by an LGA, and who decides to have additional trucks permitted by another LGA, must provide copies of the current commercial waste transporter permits with the new commercial waste transporter permit application.

h) A transporter cannot have two tank trucks permitted with the same commercial waste transporter permit number.

i) This registration number shall be part of the commercial waste transporter permit number issued by the LGA. Every vehicle that transports commercial waste must display on the vehicle the FOG/permit number.

3. Transporter Permit Fees – A transporter permitting fee will be assessed on an annual basis at a rate of \$250 for the first truck and \$100 for each additional truck, payable to the LGA.

4. Vehicle Inspection – Annually the LGA shall inspect each tank truck prior to the issuance of a commercial waste transporter permit. Such inspection shall verify that the tank truck is substantially leak proof, durable, of easily cleaned construction, and is maintained in good repair. The LGA shall maintain records of each inspection. A copy of a sample vehicle inspection form is provided as Appendix F – Vehicle Inspection Form.

SECTION V. ENFORCEMENT

A. Inspection and Entry

1. Representatives of the LGA, after proper identification, shall be permitted to enter the premises of any originator, transporter, processor, or disposal site in this LGA at any reasonable time for the purpose of making inspections to determine compliance with this ordinance or the commercial waste transporter permit.
2. Representatives of the LGA, during inspections of the originator, transporter, processor, and the disposal site operator, may review records to determine compliance with provisions of these regulations.
3. The right of inspection shall include the right to measure, observe, sample test, record, review and make copies of all pertinent documents in accordance with this ordinance.

B. Monitoring

1. When required by the LGA, the originator shall install an approved manhole on the discharge sewer to allow observation, sampling and flow measurement.

C. Violations

1. Any person who violates any provision of this Ordinance, or any terms, conditions, schedule of compliance or other requirements contained in the respective permit, shall be subject to enforcement proceedings by the LGA pursuant to this ordinance.
2. Notwithstanding any other provisions of law, the LGA shall be authorized to impose a civil penalty not to exceed \$2,500 for each violation.

D. Permit Revocation

1. Any permit issued by the LGA may be suspended, revoked or modified by the LGA, upon finding that the holder is not in compliance with the terms of the permit or other conditions outlined in this ordinance.
2. The permit may be reissued by the LGA upon remedy of the non-compliance that caused the suspension, revocation or modification of the permit.

SECTION VI. CONFLICT WITH OTHER ORDINANCES

1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

3. In the event a wastewater discharge is under the jurisdiction of an approved sewer use ordinance for another governing authority, the more constrictive requirement shall prevail.

SECTION VII. ORDINANCE IN FORCE

This ordinance shall be in full force and effect from and after its passage, approval, recording, the public welfare requiring it.

Passed and adopted by the (LGA name), City, County, Georgia on the day of , 2005.