

ORDINANCE NO. XXX

AN ORDINANCE ESTABLISHING A FATS OILS AND GREASE MANAGEMENT PROGRAM AND AMENDING THE COOS BAY MUNICIPAL CODE BY ADDING CHAPTER 13.25.

WHEREAS, City of Coos Bay (“City”) has all powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow City; and

WHEREAS, City is dedicated to managing and maintaining City sanitary sewer infrastructure; and

WHEREAS, City finds ensuring City businesses have proper operating pretreatment devices provide a reduction in fats oils and grease entering the City sanitary sewer system; and

WHEREAS, the City Council finds that the adoption and implementation of a Fats Oils and Grease program will provide reduction of sanitary sewer issues from fats oils and grease.

THE CITY OF COOS BAY ORDAINS AS FOLLOWS:

Section 1: The Coos Bay Municipal Code shall be amended to add Chapter 13.25, Fats, Oils & Grease Management Program, as detailed in attached Exhibit A.

Section 2: Severability. These sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

Section 3: Savings. Notwithstanding any amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions thereof were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

Section 4: Codification. Provisions of this Ordinance shall be incorporated in the Municipal Code for the City of Coos Bay. The word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of the Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and any boilerplate provisions need not be codified. The recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was enacted by the City Council of the City of Coos Bay this ____ day of ____ 2022.

Yes:

No:

Absent:

Joe Benetti
Mayor of the City of Coos Bay
Coos County, Oregon

ATTEST:

Melissa Olson
City Recorder of the City of Coos Bay
Coos County, Oregon

EXHIBIT A

Chapter 13.25 Coos Bay Fats, Oils, and Grease (FOG) Management Program

Sections

13.25.010	Title and Purpose
13.25.020	Definitions
13.25.030	Pretreatment Device Installation and General FOG Management Program Requirements for New Dischargers
13.25.040	Pretreatment Device Installation and General FOG Management Program Requirements for Existing Dischargers
13.25.050	General FOG Management Program Requirements for Private Pump Stations
13.25.060	Kitchen Best Management Practices (BMPs)
13.25.070	Waste Reduction Plan
13.25.080	Prohibited Discharges
13.25.090	Pretreatment Device Location
13.25.100	Pretreatment Device Design Criteria
13.25.110	Pretreatment Device Maintenance and Reporting Requirements
13.25.120	Private Pump Station Maintenance and Reporting Requirements
13.25.130	Administrative Requirements
13.25.140	Program Fees
13.25.150	Variance Requests
13.25.160	Violations
13.25.170	Enforcement

13.25.010 Title and Purpose

The title of this chapter shall be known as the “Coos Bay Fats, Oils, and Grease (FOG) Management Program.” The purpose of this chapter is to minimize the introduction of fats, oils, and grease (FOG) into the Coos Bay wastewater system. Any non-residential facility housing a discharger with a permanent connection to a sanitary sewer system discharging to the City’s wastewater system, that discharges or has the potential to discharge polar fats, oils, or grease, must comply with this chapter. Property owners of commercial properties containing one or more discharger tenants on a single parcel, or their official designee(s), shall ensure that their property and/or lease comply with this chapter in its entirety. The Coos Bay Municipal Code requires users to comply with all Oregon Specialty Plumbing Code requirements. The Oregon Specialty Plumbing Code provides regulation of the construction of private plumbing systems. The main components of this FOG Management Program include:

- A. Require development and implementation of kitchen best management practices (BMPs) to reduce FOG discharges to the City wastewater system.
- B. Require proper maintenance and cleaning of pretreatment devices and ensure that waste removed from these devices is properly managed.
- C. Require non-residential facilities that discharge FOG or have the potential to discharge FOG to the City to provide adequate wastewater pretreatment and properly maintain the pretreatment devices to prevent FOG passthrough to the City, and to ensure compliance with the City’s 100 mg/L polar fats, oils, and grease standard limit, per the CBMC 13.15.030(5).

13.25.020 Definitions

“Additives” means products introduced to the wastewater system that include (but are not limited to) solvents, emulsifiers, surfactants, caustics, acids, bacteria, and enzymes.

“City” means the city of Coos Bay Public Works and Community Development Department.

“Collection line” means that portion of the wastewater treatment system which collects and transmits wastewater from users to the wastewater treatment plant, excluding private laterals and service laterals, or that system which collects and transmits stormwater from users to the receiving waters of Coos Bay.

“Director” means the director of the Coos Bay Public Works and Community Development Department (PWCDD) or his/her duly authorized representative(s).

“Discharger” means any nonresidential user who discharges an effluent and/or pollutant into the wastewater system, such as, but not limited to: food service establishments; commercial facilities; manufacturing facilities; establishments that pack, cure, or slaughter meat, fish, or fowl, manufacture soap, render fat or tallow, or cure hides; or entities deemed by the director to be dischargers.

“Domestic wastewater” means wastewater sourced from sanitary fixtures such as toilets and urinals.

“Flow control” means a device designed to control wastewater flow rate. This device may be required to be provided for the inlet side of all hydromechanical grease interceptor devices (either internal or external) to control the influent flow rate, per Oregon Specialty Plumbing Code and/or device manufacturer requirements. Also referred to as a “flow reducer.”

“FOG disposal system” means a grease interceptor that reduces nonpetroleum fats, oils, and grease in effluent by separation or by mass or volume reduction.

“Food service establishment” means any facility that engages in the activities of cutting, cooking, grilling, baking, frying, preparing, or serving food or beverage for consumption (either on or off their premises), or which disposes of food- or beverage-related wastes to the wastewater system. Food service establishments include, but are not limited to: restaurants, cafes, commercial kitchens, caterers, hotels, motels, schools, hospitals, prisons, correctional facilities, nursing homes, care institutions, and any other municipal or commercial facility or business preparing or serving food or beverage for consumption.

“Garbage” means solid waste from the handling, storage, and sale of products and the domestic and commercial preparation, cooking, and dispensing of food or beverage.

“Gravity grease interceptor or GGI” means a plumbing appurtenance or appliance installed to intercept, collect, and store nonpetroleum fats, oils, and grease (FOG) from a wastewater discharge. These interceptors are identified by: their effective volume capacity, thirty (30)-minute wastewater retention time, baffle(s), containing a minimum of two compartments, providing a total volume capacity of not less than that specified by the Oregon Specialty Plumbing Code, and gravity separation. These interceptors are usually located underground and outside a building.

“Grease” means a material composed primarily of fats, oils, and grease from animal or vegetable sources. Grease may also include petroleum-based products.

“Grease, brown” means fats, oils, and grease (FOG) that has been in contact with or contaminated by other sources (water, wastewater, solid waste, etc.), and that is discharged to the wastewater system and to the pretreatment device (if present). Brown grease is generated during food or beverage preparation, facility cleanup activities, and pretreatment-device-cleaning activities.

“Grease, yellow” means fats, oils, and grease (FOG) that has not been in contact or contaminated from other sources (water, wastewater, solid waste, etc.). Yellow grease is contained for proper disposal or recycling.

“Grease interceptor” means a plumbing appurtenance or appliance that is installed to intercept polar (nonpetroleum) fats, oils, and grease (FOG) and food waste from a wastewater discharge.

“Hydromechanical grease interceptor or HGI” means a plumbing appurtenance or appliance that is installed to intercept polar (nonpetroleum) fats, oils, and grease (FOG) and food waste from a wastewater discharge. These devices are identified by flow rate and separation and retention efficiency. The design incorporates air entrainment, hydromechanical separation, interior baffling, or barriers in combination or separately, flow control, and venting. Hydromechanical grease interceptors shall comply with the requirements of the Oregon Specialty Plumbing Code. These devices are generally installed inside (above or below floor grade) or outside (underground).

“Interceptor or separator” means a device so constructed as to separate, trap, and hold fats, oils, greases, and/or solids, sand, and grit substances from the wastewater discharged by a facility in order to prevent these substances from entering the City’s wastewater system.

“Interference” means a discharge that, alone or in conjunction with a discharge or discharges from other sources, may inhibit or disrupt the City’s wastewater system processes or operations, sludge processes, use or disposal, or which contributes to a violation of any requirement of the City’s National Pollutant Discharge Elimination System (NPDES) permit.

“Kitchen best management practices (BMPs)” means the schedules of activities, prohibitions of practices, maintenance procedures, management practices, pretreatment device operation, and maintenance procedures, general kitchen operating procedures, and kitchen waste management practices intended to address the following:

- (1) Prevent or reduce the introduction of fats, oils, and greases to the user’s and City’s wastewater system or from the user’s pretreatment device.
- (2) Provide proper storage for raw materials and wastes stored on-site, and control spillage of these materials to minimize discharge to the user’s and City’s wastewater system or the City’s stormwater system.
- (3) Prevent improper waste discharge to the user’s and City’s wastewater system.

“National Pollutant Discharge Elimination System permit (NPDES permit)” means the permit issued to the City by the United States Environmental Protection Agency (EPA), setting specific requirements for discharge from the City’s wastewater treatment plants into the waters of Coos Bay.

“Non-polar FOG” means FOG sourced from mineral or petroleum material sources and the activities that can cause these materials to become discharged to the wastewater system.

“Passthrough” means the discharge by any user’s wastewater system that results in the discharge of a prohibited substance, including fats, oils, and grease, to the City’s wastewater system that can result in blockages or increased cleaning requirements.

“Polar FOG” means FOG sourced from food and beverage preparation and service activities, which is sourced from domestic, commercial, or industrial users.

“Pretreatment device” means the device used to separate and retain fats, oils, and grease from wastewater prior to entering the City’s wastewater system. The pretreatment device shall only receive wastewater from kitchens, or food or beverage preparation wastewater. Pretreatment devices include gravity grease interceptors (GGIs), hydromechanical grease interceptors (HGI), and other devices approved by the City that comply with Oregon Specialty Plumbing Code requirements.

“Private lateral” means an underground pipe, including all connections and appurtenances, owned by a property owner connecting a building to the City’s wastewater system.

“Pump station” means a facility designed to pump wastewater into the City’s wastewater system.

“Remodeling” means the following activities: increase in seating, kitchen relocation, kitchen area expansion, increase of any food or beverage preparation equipment (including grills, ovens, stoves, rotisserie ovens, fryers), or any additions made to increase the number of or size of sinks and/or pre-rinse sinks, or increase in the number of floor drains or trench drains located in the kitchen or other food and beverage preparation areas and any manufacturing areas, increase in production or warehouse areas, installation of new or additional process equipment, or any additions made to increase the number of or size of wash equipment.

“Sanitary sewer system” means that portion of the wastewater conveyance system which disposes of the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions.

“Slug load” means any substance released in a discharge at a rate and/or concentration which causes interference to the City wastewater system.

“The Fifty Percent Rule (the 50% Rule)” shall mean the requirement for pretreatment devices (GGI and HGI) to be maintained such that the combined FOG and solids accumulation does not exceed 50% of the design hydraulic depth of the device. 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.

“The Twenty-Five Percent Rule (the 25% Rule)” shall mean the requirement for pretreatment devices (GGI and HGI) to be maintained such that the combined FOG and solids accumulation does not exceed 25% of the design hydraulic depth of the device. 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.

“User” means a source of discharge to the City’s wastewater system.

“Wastewater” shall mean the liquid and water-carried domestic or industrial wastes from dwellings, commercial establishments, industrial facilities, and institutions, whether treated or untreated, contributing to the sanitary sewer.

“Waste hauler or transporter” means a person or company who has a City Business License to collect wastewater, including residential wastewater and septage, or pretreatment device wastewater and wastes, private pump station wastes, or commercial and/or industrial wastewater and wastes, for transportation to a facility or location for proper disposal, reuse, or recycling. The waste hauler is responsible for assuring that all federal, state, and local regulations are followed regarding waste transport and disposal.

“Wastewater system” means the sanitary sewer system of the city of Coos Bay, including all appurtenances thereof.

13.25.030 Pretreatment Device Installation and General FOG Management Program Requirements for New Dischargers

- A. All proposed new construction of a discharger’s facilities that is connected to a city of Coos Bay wastewater system shall be required to install an approved pretreatment device. All pretreatment devices installed by new dischargers shall be of the type and capacity approved by the Oregon Specialty Plumbing Code and this chapter. These devices shall be installed in accordance with the Oregon Specialty Plumbing Code.
- B. Once the discharger is in operation, all pretreatment devices must be properly operated, maintained, cleaned, and all wastes removed from these devices must be properly managed in accordance with City requirements and as described in CBMC 13.25.110.
- C. Within sixty (60) days of a discharger’s business operation, the discharger shall develop and implement kitchen BMPs and provide staff training, as described in CBMC 13.25.060.
- D. Any requests for extensions to the required compliance dates shall be made in writing to the director at least fifteen (15) days in advance of the compliance date. The written request shall include the reasons for the discharger’s failure or inability to comply with the compliance date set forth, the additional time needed to complete the remaining work, and the steps to be taken to avoid future delays. Extensions of time shall not exceed sixty (60) days and shall only be valid if granted in writing by the director.

13.25.040 Pretreatment Device Installation and General FOG Management Program Requirements for Existing Dischargers

- A. All existing dischargers that are connected to a city of Coos Bay wastewater system shall conduct their operations in such a manner as to minimize FOG discharges to the wastewater system.
- B. Within three hundred and sixty-five (365) days of the commencement date of the Coos Bay FOG Management Program, the existing dischargers shall develop and implement kitchen BMPs and provide staff training, as described in CBMC 13.25.060. The discharger must also install a pretreatment device (unless discharger has an existing pretreatment device). These devices shall be installed in accordance with the Oregon Specialty Plumbing Code.
- C. All existing dischargers with an existing pretreatment device must properly operate, maintain, and clean their device(s), and properly manage all wastes removed from their device(s) in accordance with City requirements, per CBMC 13.25.110.
- D. Existing dischargers and other qualifying establishments are required to make modifications to their facility's sanitary sewer system, pretreatment device, and/or solids pretreatment device (type, quantity, or capacity) and/or may be required to connect fixtures and equipment discharging FOG and/or solids-laden waste to a pretreatment device when any of the criteria listed below apply or are planned:
 1. Remodeling is performed at the discharger's facility.
 2. There is a change in the discharger's ownership.
 3. The discharger or facility has a change of operation that may or will increase the quantity and/or sources of FOG and/or solids discharge. Dischargers may be required to install a pretreatment device when any of the changes listed below occur or are planned, and must notify the City in advance of making any of the following changes:
 - a. Changes to facility operations
 - b. Changes to the type of food service or manufacturing process
 - c. Change of operator of the facility
 - d. Modifications, replacement, additions, or removal of any pretreatment device
 - e. Transfer of responsibility for any pretreatment device
 4. The discharger's or facility's existing pretreatment device is deemed by the State Plumbing Official to be of substandard size and/or design.
 5. The discharger is shown to be discharging excessive FOG or solids (or has the potential to discharge FOG or solids) in quantities that can result in a blockage in the City's wastewater system.
 6. Any other reason deemed by the City as appropriate for modifications, including but not limited to improperly installed pretreatment devices, pretreatment devices with missing flow controls, or nonfunctioning FOG and/or solids pretreatment device equipment.

- E. If the City determines that an existing pretreatment device of an existing discharger's current waste minimization practices cannot be sufficiently maintained to prevent FOG and/or solids passthrough to the City's wastewater system, then a waste reduction plan must be prepared by the discharger and submitted to the City within thirty (30) days of the City's request. The specific requirements of the discharger's waste reduction plan are described in CBMC 13.25.070. The failure to submit a waste reduction plan will subject the discharger to meeting all the requirements of this chapter, including installing a pretreatment device that meets all sizing, design, and fixture connection requirements specified in the Oregon Specialty Plumbing Code, within ninety (90) days following the written notification from the City.
- F. Any existing discharger proposing to connect fewer fixture and drain sources to a newly proposed pretreatment device(s) than that required by the Oregon Specialty Plumbing Code in an effort to treat only the highest FOG- or solids-generating sources (as identified in the user's waste reduction plan) shall submit a variance request to the State Plumbing Official, in accordance with the procedures described in the Oregon Specialty Plumbing Code and as referenced in CBMC 13.25.150. If the State approves the variance, the approved variance must be available to the City if requested.
- G. A discharger may request a variance for alternative compliance periods, site procedures, or pretreatment devices, or to deviate from specified FOG Management Program requirements through the variance process described in CBMC 13.25.150. Dischargers that are required to retrofit their private wastewater system may request authorization from the City to temporarily discharge FOG above the 100 mg/L polar oil and grease wastewater discharge standard while installing a pretreatment device. Authorizations will be limited to one hundred and eighty (180) days for GGIs and/or solids interceptors installed below grade and ninety (90) days for HGIs or solids interceptors, trench drains, screens, and other solids pretreatment devices installed above-ground or in exposed sections of the discharger's plumbing. Dischargers that cause or contribute to a sewer blockage during this temporary authorization period may be subject to enforcement and cost recovery by the City to mitigate the FOG and/or solids passthrough to the City's wastewater system. Discharger installation notification and documentation confirming pretreatment device installation may be required by the City.
- H. Any existing discharger connected to the City system through a shared lateral must comply with the standards, as specified and established in CBMC 13.15.170

13.25.050 General FOG Management Program Requirements for Private Pump Stations

- A. Dischargers with private pump stations that discharge wastewater containing fats, oils, or grease to a private sewer or public sewer discharging to the City's wastewater system which are found by the City to be contributing fats, oils, and grease in quantities sufficient to cause main line stoppage, pump station malfunctions, or necessitate increased maintenance on the City's wastewater system, may be directed to cease discharging wastewater containing polar fats, oils, and grease in excess of the City's 100 mg/L limit. The discharger shall be required to participate in the Coos Bay FOG Management Program and be required to provide for the proper maintenance and emergency notification signage of all pump stations that are privately maintained, as specified in CBMC 13.25.120.

13.25.060 Kitchen Best Management Practices (BMPs)

- A. Dischargers shall develop and implement kitchen BMPs pertaining to the operational practices to be employed by the discharger and its staff to reduce the discharge of fats, grease, oils, and food particles to their wastewater system. All kitchen BMPs prepared by the discharger must address the minimum topics required by the City, and shall comply with the following requirements:
1. Kitchen BMPs shall be prepared in writing.
 2. Kitchen BMPs shall be reviewed with all kitchen staff and kitchen management staff in a staff training activity initially, then on an annual basis thereafter. All new staff hired by the discharger shall receive this training by the discharger within thirty (30) days of their employment.
 3. The discharger shall document all kitchen BMPs staff training activity information, including training dates, list of staff that received the training, and what training material was reviewed with each staff member during the training event.
 4. The discharger shall make their kitchen BMPs staff training documentation available on-site for City review, at minimum. If requested by the City, the discharger shall additionally notify the City annually that the discharger has satisfied all required kitchen BMPs requirements, and the notification be submitted to the City in the manner and format acceptable to, and as specified by, the City.
- B. The minimum topics to be included in the kitchen BMPs shall include the following, where applicable:
1. Introduction to the purpose of the FOG Management Program, and importance of kitchen BMPs
 2. Equipment and plumbing devices that impact FOG dischargers
 3. Proper dishwashing practices
 4. Kitchen cleaning practices
 5. Spill prevention and cleanup
 6. FOG waste collection and proper storage
 7. Prohibitions related to FOG dischargers
 8. Kitchen BMPs signage
 9. Pretreatment device maintenance (if applicable)
 10. Interior pretreatment device monitoring and cleaning (if applicable)
 11. Exterior pretreatment device monitoring and cleanup (if applicable)
 12. FOG Management Program compliance requirements
 13. Employee/staff training
- C. City kitchen BMP templates can be requested or found on the City's website for use and support with development of the site-specific kitchen BMP documents that are required.

13.25.070 Waste Reduction Plan

- A. A waste reduction plan is a document prepared by the discharger and submitted to the City within thirty (30) days of City request and upon the City's finding that a discharger's current waste

minimization practices, and/or the discharger's existing pretreatment device(s), cannot be sufficiently maintained to prevent FOG passthrough to the City's wastewater system.

- B. The discharger's waste reduction plan shall describe the specific measures and activities to be implemented by the discharger to reduce FOG discharges to the City's wastewater system. The plan shall include corresponding implementation and completion timeframes for each specific measure and activity described. At minimum, the discharger's waste reduction plan must address how FOG will be significantly reduced, intercepted, and properly disposed of or eliminated from the discharger's wastewater discharge, and shall include an implementation timeframe that is acceptable to the City.
- C. The City may share inspection findings with the discharger to assist with identifying specific activities or pretreatment device deficiencies that can be considered by the discharger in their development of a waste reduction plan. The City will not specify the specific items or activities to be included in the discharger's waste reduction plan (and all plan items and activities should be specified by the discharger directly).

The City's role regarding the discharger's waste reduction plan is to provide assistance to the discharger in their development of the plan, to review the plan received, and to make a determination as to whether the plan meets the minimum requirements of the City.

- D. Once the discharger's waste reduction plan has been submitted to the City, it will be reviewed, and the City will take one of the following actions:
 - 1. accept the waste reduction plan with no requested changes;
 - 2. accept the waste reduction plan with conditions; or
 - 3. reject the waste reduction plan and proceed with issuing a compliance request notice or notice of violation to the discharger, requesting that the discharger address the identified noncompliance at their facility within a specified timeframe.
- E. The City does not guarantee that the activities identified in the discharger's waste reduction plan will adequately address or will significantly reduce FOG discharges to the City's wastewater system, and the City's acceptance of the activities identified by the discharger on the waste reduction plan is done so as to support the discharger to the best of its ability. All City responses to the discharger regarding the City's acceptance, acceptance with conditions, or rejection of the discharger's waste reduction plan will be made in writing to the discharger within thirty (30) days of its receipt of the submittal.
- F. The discharger is responsible for obtaining a plumbing permit or building permit as required for all proposed plumbing system improvements to their facility's wastewater system associated with the discharger's waste reduction plan. All proposed plumbing improvements submitted under a building or plumbing permit will require approval by the State Plumbing Official.

13.25.080 Prohibited Discharges

In addition to 13.15.030 the following discharges are also prohibited.

- A. The bypass or passthrough of FOG and/or solids from the user's pretreatment device, service lateral, or private pump station is prohibited without prior approval by the City.
- B. The disposal of waste cooking oil (yellow grease) into dischargers and/or fixtures, floor drains, trench drains, or to the wastewater drainage pipes is prohibited. All yellow grease waste shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal, as described in CBMC 13.25.110.
- C. The use of or discharge of additives, emulsifiers, enzymes, or biological agents to break down or digest FOG in any private sewer system, pretreatment device, or private pump station by any user is prohibited. Use of such products and devices designed to use, deliver, or dose these products to the City's wastewater system is considered a violation, and the user may face fees for damage caused to the City's wastewater system.
- D. The installation or use of equipment that uses additives, emulsifiers, enzymes, or biological agents to break down or digest FOG for discharge to the sewer system is prohibited. This equipment may include but not be limited to FOG disposal systems. The use of such equipment herein is considered a violation.
- E. The discharge of wastewater from dishwashers to any hydromechanical grease interceptor device is prohibited.
- F. The flushing or washing of any pretreatment devices with water having a temperature in excess of one hundred forty degrees Fahrenheit (140°F) is prohibited.
- G. The discharge of wastewater, wastes, or substances having a pH of less than 5.0 or more than 10.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the wastewater treatment system is prohibited.
- H. The discharge of domestic wastewater wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for pretreatment device service, or vice versa, is prohibited.
- I. The discharge of any waste, including FOG and solid materials removed from the pretreatment device, including brown grease waste to the wastewater system, is prohibited. Brown grease waste shall be managed in accordance with CBMC 13.25.110.
- J. The discharge of any waste, including FOG and solid materials removed from or discharged by kitchen appliances (including fryers, rotisserie ovens, etc.) or by other manufacturing equipment directly to the wastewater system, is prohibited. These wastes are required to be separately contained and properly disposed of or recycled by the user.

- K. Operation of grease interceptors with FOG and solids accumulation exceeding twenty-five percent (25%) of the total operating depth of the grease interceptor, defined as “the 25% Rule” in this chapter, is prohibited.
- L. Operation of solids interceptors with solids accumulation exceeding fifty percent (50%) of the total operating depth of the solids interceptor, defined as “the 50% Rule” in this chapter, is prohibited.

13.25.090 Pretreatment Device Location

- A. Each pretreatment device shall be installed in a location that is easily accessible for inspection, cleaning, and removal of the intercepted grease and/or solids and other related wastes at any time. Pretreatment devices required under this chapter shall be installed in accordance with the requirements of the Oregon Specialty Plumbing Code and CBMC 13.25.100. These devices shall be installed upstream from the discharger’s private lateral line(s).
- B. All HGIs, GGIs, and solids interceptor devices shall be installed in a location that is fully accessible for device cleaning, maintenance, and inspection activities.
- C. Any GGI device proposed to be installed indoors shall require approval by the jurisdictional reviewing agency pursuant to the current established building permit or plumbing permit procedure.

13.25.100 Pretreatment Device Design Criteria

- A. Construction of Pretreatment Devices
 - 1. All pretreatment devices shall be constructed in accordance with Oregon Specialty Plumbing Code requirements. Pretreatment devices are required to be equipped with covers or lids that provide a gas-tight fit.
 - 2. All alternative pretreatment devices or technologies that deviate from the devices accepted under Oregon Specialty Plumbing Code requirements shall require a written approval from the State Plumbing Official.
 - 3. All risers installed that are associated with a proposed underground-installation pretreatment device shall be evaluated by the State Plumbing Official to ensure the proposed riser depth does not impede device inspection, cleaning, and maintenance.
 - 4. All pretreatment devices and qualifying solids pretreatment devices shall comply with all flow control and venting requirements specified in the Oregon Specialty Plumbing Code and as required by the jurisdictional reviewing agency pursuant to the current established building permit or plumbing permit procedure. All hydromechanical devices require both flow control and venting, in the form of one of the following, per the Oregon Specialty Plumbing Code:
 - a. External flow control, with air intake (vent), directly connected
 - b. External flow control, without air intake (vent), directly connected
 - c. Without external flow control, directly connected
 - d. Without external flow control, indirectly connected

B. Drain and Fixture Connection

1. Dischargers and other qualifying establishments shall permanently connect all plumbing fixtures with the potential to discharge fats, oils, grease, and food-related solids, and/or food particles, and/or manufacturing-related FOG and solid particles to the user's lateral to a State-approved pretreatment device, in accordance with Oregon Specialty Plumbing Code requirements.
2. The list of fixtures and drains required to connect to a gravity grease interceptor device is specified in the Oregon Specialty Plumbing Code and may include the following: all kitchen sinks, including single- and multiple-compartment sinks (but excluding hand-wash sinks), pre-rinse sinks, garbage disposal units, dishwashers, floor drains or trench drains located in all food/beverage cooking and preparation areas, mop sinks (either elevated or in-floor), drains and sinks servicing woks or wok cooking stations, and food/beverage manufacturing or cooking equipment with drain connections in food or beverage preparation areas.
3. The list of fixtures and drains required to connect to a hydromechanical grease interceptor device is specified in the Oregon Specialty Plumbing Code. The list may additionally include garbage disposal units (with a solids separator upstream of an HGI). Sinks that discharge fine particles (including sinks supporting coffee and espresso preparation and equipment activities) may be required to provide a fine particle separator or solids interceptor device upstream to the HGI device, to ensure the HGI functions as designed.

C. Access

1. All pretreatment devices shall be designed and installed to allow for complete access for inspection and maintenance of inner chamber(s), as well as viewing and sampling of wastewater discharged to the sanitary sewer. The location of the pretreatment device must be approved by the State prior to building or plumbing permit issuance and installed prior to final City building or plumbing permit inspection. Pretreatment devices shall not be located in heavily trafficked areas, such as driving lanes of a parking lot, that may interfere with required inspection and maintenance activities.
2. All private pump stations shall be located in an area that is accessible for cleaning (by a pump truck, vac truck, or similar vehicle) and shall be accessible for City inspection and sampling.

D. Pretreatment Device Load-Bearing Capacity

1. In areas where additional weight loads may exist, the pretreatment device shall be designed to have adequate load-bearing capacity (example: parking areas, driveways, private drives, private service roads, and sidewalks located adjacent to these areas).

E. Pretreatment Device and Private Pump Station Sizing

1. All pump stations, gravity grease interceptors, solids interceptor devices, hydromechanical grease interceptors, and hydromechanical solids interceptor devices shall be designed in accordance with the Oregon Specialty Plumbing Code, and as approved by the jurisdictional

reviewing agency pursuant to the current established building permit or plumbing permit procedure.

13.25.110 Pretreatment Device Maintenance and Reporting Requirements

A. Cleaning and Maintenance

1. All pretreatment devices shall be cleaned by a professional and maintained by the user at the user's expense. The user must use a professional licensed pumping company with an active City business license to perform the pumping activities.
2. Cleaning of the pretreatment device shall be performed on a regularly scheduled basis. Cleaning shall include complete removal of the entire contents of the device, including floating materials, wastewater, and bottom sludges and solids. Cleaning shall also include removal of materials from the tank walls, baffles, cross pipes, inlet piping, outlet piping, and vents. Maintenance can be performed by the user(s) or a professional and shall follow all manufacturers recommendations.
3. All wastes removed from pretreatment devices by a waste hauler or transporter shall be properly managed and either disposed of or recycled at a facility authorized by the State to accept this type of wastewater.
4. Top skimming of floating materials, solids, or liquids of pretreatment devices is strictly prohibited (this allows for the settled solids to accumulate when not completely cleaned).
5. Decanting, skimming, or back-flushing of the pretreatment device or its wastes is prohibited. Furthermore, dischargers, other qualifying establishments, and waste haulers are prohibited from discharging liquids, semi-solids, or solids into a pretreatment device, to a solids pretreatment device, to any private wastewater system, or to the City's wastewater system during or after servicing.
6. Vehicles capable of separating water from oil or grease shall not discharge separated water back into the pretreatment device, or to the City's wastewater system, storm sewer, storm drain, or natural stream. All wastes removed from pretreatment devices by these specialty vehicles shall be properly managed in accordance with CBMC 13.25.110.
7. During each cleaning event, the pretreatment device shall be inspected for the following:
 - a. Gravity grease interceptors and gravity solids interceptors shall be inspected to verify proper operation; inspected for holes, cracks, groundwater intrusion, surcharge conditions; to verify all baffles are in place and the outlet tee is in place, as required to prevent pollutant passthrough to the City's wastewater system. During this inspection, the waste hauler will estimate the levels of both settled solids and floating grease and/or floating solids (in inches) and will document all observations and inspection findings onto the form approved by the City for this purpose.
 - b. Hydromechanical grease interceptors and hydromechanical solids interceptors shall be inspected to verify proper operation and inspected for leaks, as well as to verify all baffles,

screens, brackets, and other internal equipment are present and functioning properly, and that the inlet tee or downpipe is not obstructed. During this inspection, the waste hauler will estimate the levels of both settled solids and floating grease and/or floating solids (in inches) and will document all observations and inspection findings onto the form approved by the City for this purpose. All cleaning and inspection activities performed for hydromechanical devices installed indoors shall additionally be documented on a maintenance log, and this document retained at the discharger's location.

8. All repair activities performed on pretreatment devices shall be documented on the maintenance log, and the log maintained on-site for discharger and/or the qualifying establishment reference and City inspection review. The minimum information to be recorded on the maintenance log by the discharger and/or the qualifying establishment shall include: repair date, repair description, any comments related to the repair (resolved, completed, requires further repair parts, etc.), and who made the repair (discharger and/or the qualifying establishment staff member name or name of their repair firm).
9. All wastes removed from the pretreatment device shall be documented on a manifest form. Manifest form templates are provided electronically by the City. All waste manifests shall be prepared, submitted to the City (once a year by the end of the calendar year with the City business license renewal paperwork), and a copy retained on-site for City inspection, as specified in detail in CBMC 13.25.110 and 13.25.130.

B. Cleaning Frequency

1. All outdoor gravity grease and/or solids interceptors and hydromechanical grease and/or solids interceptor devices shall be cleaned (pumped out completely) and inspected at least once every three (3) months, or more frequently as needed to prevent the discharge of fats, oils, and grease and/or solids into the City's wastewater system. The pumping frequency specified herein may also be extended past the minimum period (cleaned less frequently) if it can be demonstrated by the user (related to the user's variance request) to be acceptable and when approved by the City. The required pretreatment device cleaning service must be performed by a waste hauler firm or transporter. All user requests to deviate from the minimum and maximum pretreatment device cleaning frequency specified in this chapter shall be submitted to the City under a variance request, as specified in CBMC 13.25.150.
2. All interior-installation hydromechanical grease and/or solids interceptor devices shall be cleaned (pumped out completely) and inspected at least once every month or every thirty (30) days, or more frequently as needed to prevent the discharge of fats, oils, and grease and/or solids into the City's wastewater system. The pumping frequency specified herein may also be extended past the minimum period (cleaned less frequently) if it can be demonstrated by the user (related to the user's variance request) to be acceptable and when approved by the City. The required pretreatment device cleaning service must be performed by a waste hauler firm or transporter. All user requests to deviate from the minimum and maximum pretreatment device cleaning frequency specified in this chapter shall be submitted to the City under a variance request, as specified in CBMC 13.25.150.

3. All existing pretreatment devices shall be deemed to be undersized for the quantity and nature of wastes discharged to the device and will require additional FOG pretreatment and/or solids device(s). Additional capacity must be provided by the user when any of the following occur:
 - a. When any outdoor gravity grease interceptor (GGI), or gravity solids interceptor, or hydromechanical grease interceptor (HGI) device, or hydromechanical solids interceptor requires a minimum cleaning (pumping) more frequently than every thirty (30) days, as determined by the City from either evidence of FOG and/or solids passthrough from the device or the device's failure to comply with the maximum pretreatment device waste accumulation requirements specified in this chapter at the minimum GGI or gravity solids interceptor pumping frequency of every thirty (30) days.
 - b. When any indoor hydromechanical grease interceptor (HGI) device or hydromechanical solids interceptor device requires a minimum cleaning (pumping) more frequently than every seven (7) days, as determined by the City from either evidence of FOG and/or solids passthrough from the device or the device's failure to comply with the maximum pretreatment device waste accumulation requirements specified in this chapter at the minimum HGI or hydromechanical solids interceptor pumping frequency of every seven (7) days.
4. All additional cleaning activities performed by the discharger and/or other qualifying establishment on an interior hydromechanical grease and/or solids interceptor device to address an emergency or an after-hours backup shall be documented on the user's maintenance log, and the user's log maintained on-site for discharger or establishment reference and City inspection review. The minimum information to be recorded on the maintenance log by the discharger or establishment shall include: cleaning date, cause of backup, estimated volume of any waste removed from the device, any comments related to the event, and name of the staff member who cleaned the device.
5. User cleaning frequency variance: A user may submit a variance request to deviate from the minimum cleaning (pump-out) requirements for pretreatment devices described in CBMC 13.25.150. A user's variance request may be granted by the City if the user's discharge contains minimal amounts of fats, oils, grease, or solids to the device; and the request is deemed by the City to be appropriate upon its review of all required user variance request submittals and upon inspection monitoring of the related pretreatment device(s) by the City to verify that the information contained in user variance request submittals is accurate.

C. Pretreatment Device Pump-Out Order

1. Pump-Out Order issuance and applicability: The City will issue a Pump-Out Order requiring the user to clean their pretreatment device and/or their wastewater system when any of the following conditions apply:
 - a. The user's oil and grease concentrations from their pretreatment device, or private wastewater system, or lateral line discharge exceed the City's maximum discharge limits (for polar fats, oils, and grease, and/or pH).

- b. The total combined waste depth of bottom solids and floating oils and grease exceeds twenty-five percent (25%) of the total depth of the pretreatment device.
 - c. The total combined waste depth of floating and bottom solids exceeds fifty percent (50%) of the total depth of the solids pretreatment device and/or the total solids depth exceeds the requirements specified for the device by the device manufacturer.
 - d. There is FOG and/or solids passthrough from the pretreatment device, private lateral line, or private pump station.
 - e. Pumping frequencies are extended by the discharger or other qualifying establishment beyond the device cleaning and pumping schedule specified by this chapter.
2. Pump-Out Order user compliance: The user shall have seven (7) days from receipt of the order to comply. Where an emergency exists, as determined by the City, a written or verbal warning shall be given to the user, and the user will have twenty-four (24) hours to comply.

D. Disposal of Pretreatment Device Waste and Waste Documentation

1. All waste removed from each pretreatment device by a waste hauler or transporter shall be recorded on a manifest form containing the minimum information, signature requirements, type, and format approved by the City (templates provided electronically by the City). A copy of the waste disposal manifest must be retained on-site (waste generator) for City inspection, in the format acceptable to the City (electronic or paper). Manifest forms are available electronically from the City.
2. All yellow and brown grease waste storage containers shall be designed to prevent the release of FOG to ground, groundwater, surface waters, or storm sewers. Storage containers shall be sized so they do not exceed ninety percent (90%) capacity prior to being emptied. All storage containers shall have a lid that prevents rainwater inflow. Yellow and brown grease waste storage containers and/or containment areas should be locked to prevent vandalism.
3. All waste removed from each pretreatment device and brown grease waste storage containers must be disposed of at a facility approved by the State and/or local government to receive such waste, in accordance with the provisions of this program. In no way shall the pumped material be returned to any private or public portion of the sanitary sewer system. Yellow grease waste shall be properly disposed of or recycled by the user, and receipts maintained on-site.
4. All brown grease waste managed by a waste hauler or transporter firm shall be properly documented by both invoices received by the waste hauler or transporter firm and on the user's maintenance log, which shall be retained on-site.
5. Wastes removed by the discharger from interior hydromechanical grease interceptor devices in response to an emergency or after-hours backup shall be properly disposed of in the discharger's solid waste trash (after proper containment in a plastic bag), or in a brown grease waste container (requiring proper waste disposal by a waste hauler or transporter firm). All brown grease waste removed from the interior pretreatment device by the discharger and disposed of in the solid

waste trash shall be properly documented as such on the user's maintenance log, which shall be retained on-site for discharger reference.

E. Additives

1. Any additive(s) placed into the pretreatment device, or the discharge line, or in the user's wastewater system on a constant or scheduled basis shall be prohibited. Such additives shall include, but are not limited to: commercial bacteria, emulsifiers, enzymes, solvents, or other additives that absorb, purge, dissolve, saponify, emulsify, transfer, or generate excessive inert solids, oils, grease, fatty acids, or glycerides downstream of the application point or into/from the pretreatment device. The use of additives will not be accepted as an alternative to the required removal of wastes from pretreatment devices or be accepted as a basis to lengthen the time (reduce the frequency) between required pretreatment device maintenance (waste removal) events.
2. All bacteria additives formulated to address kitchen drain line odors, grease accumulation, or vectors require City evaluation and approval prior to use or placement in any building sewer drain discharging to the pretreatment device. Each commercial bacteria additive product must be completely evaluated for safety and negative impact on the City's wastewater system prior to product approval by the City, and at the expense of the user (or the vendor on the user's behalf). All product approval requests must be requested in writing to the director. Product approval for bacterial additives may be granted by the director upon the user's written request for product approval. Written request may include: the user's completion of all product evaluation, sampling protocol activity requirements, and submittal of evaluation and sampling protocol report that concludes that the product does not adversely impact the City's wastewater system. Product approval may also be rescinded by the director if the City finds that the product is adversely impacting the City's wastewater system or is causing pollutant passthrough from the discharger's pretreatment device or private wastewater system to the City's wastewater system.

F. Chemical Treatment and Excessive Temperatures

1. Chemical treatments such as drain cleaners, enzymes, acids, and other chemicals designed to dissolve, purge, or remove grease shall not be allowed to enter the pretreatment device.
2. Flushing or washing the pretreatment device with water having a temperature in excess of one hundred forty degrees Fahrenheit (140°F) shall be strictly prohibited.
3. The discharge of user's facility wastewater with a temperature in excess of one hundred forty degrees Fahrenheit (140°F) to the pretreatment device shall be minimized to the greatest extent possible. Extended discharge duration can result in emulsification of the intercepted fats, oils, and grease, and passthrough from the pretreatment device to the City's wastewater system, a prohibited discharge condition required to be corrected by the discharger.

13.25.120 Pump Station Maintenance and Reporting Requirements

A. Private Pump Station Cleaning and Maintenance

1. All pretreatment devices shall be cleaned and maintained by the user at the user's expense.
2. Cleaning and maintenance of the private pump station shall be performed on a regularly scheduled basis by the user and must meet the minimum requirements set forth in this chapter. Cleaning shall include the removal of all floatable and settleable solids from private pump station wet wells, cleaning of the wet well walls and all associated equipment (wet well pump switch floats, etc.), the proper disposal of all grease and solids removed, and completion of a waste disposal manifest for all wastes removed from the pump station for proper disposal.
3. The owner of a private pump station shall operate and maintain the private pump station in proper working order (including the control panel and all other electrical and mechanical components, and associated check valves) and properly secure the private pump station. The owner of a private pump station shall provide the director with a listing of the staff directly employed by the owner and experienced in the operations, maintenance, and repairs of the pump station for review, or a copy of the contract with a reputable person or firm experienced in the operations, maintenance, and repairs of pump stations for review prior to committing to contract for service (this City review is to only ensure that the level of service included in the proposed contract meets the minimum requirements specified in this chapter). The pump station owner shall provide the designated facility's private pump station staff or contractor with sufficient access to all equipment as needed to pull and service pump station pumps and other related equipment and components, as well as access needed for cleaning, pumping, and removing pump station waste. The designated facility's private pump station staff or contractor must be able to respond to and provide contracted pump station services twenty-four (24) hours a day, seven (7) days a week, and respond to the site within two (2) hours after notification of pump station-related spill or overflow. The private pump station owner shall additionally comply with the following City notification and signage requirements:
 - a. Provide the user's twenty-four (24)-hour emergency contact telephone numbers to the director, enabling the City to notify the property owner and contractor of reported emergency.
 - b. Provide the director with seventy-two (72) hours' advanced notice upon the expiration or change of status of the ownership, management, designated facility's private pump station staff, or contractor.
 - c. Provide a sign, posted on or adjacent to the pump station site (preferably on the control panel). The sign size should be approximately twelve (12) inches by eighteen (18) inches, with a white background and black letters. The letters should be legible. The sign shall state the following minimum information:
 - i. "Private Sanitary Sewer Pump Station"
 - ii. "In case of emergency, contact the following numbers"
 - iii. "Facility Owned by: Name (_____) Phone (_____)"
 - iv. "Facility Maintained by: Name (_____) Phone (_____)"
 - v. "Station Number: _____" (to be assigned by the City)

4. All repair activities performed on pretreatment devices shall be documented on the maintenance log, and the log maintained on-site for maintenance staff/contractor use and review. The minimum information to be recorded on the maintenance log by the user shall include: inspection date, recorded pump runtime hour values (for all pumps), discharge line pressure, repair description, any comments related to the repair (resolved, completed, requires further repair parts, etc.) and who made the repair (name of the user's staff member, maintenance contractor, or name of subcontractor used for repair).
5. The City shall have the right to inspect all private pump stations and appurtenances, and to discontinue/suspend sewer service (following CBMC 13.15.260) if the private pump station and appurtenances are not maintained in a sanitary and effective operating condition or if the City's wastewater system may be harmed thereby.

B. Private Pump Station Cleaning Frequency

1. Private pump stations shall be cleaned by removing all floatable grease and solids and settleable solids from private pump station wet wells and cleaning the wet well walls and all associated equipment (pump control float switches, etc.) at least every one hundred eighty (180) days, or more frequently as needed to prevent the discharge of grease into the City's wastewater system. Once a grease-related overflow occurs at the private pump station, the cleaning frequency may be reduced by the City to once every ninety (90) days for a one (1)-year monitoring period, and then reevaluated by the City to determine if this cleaning frequency shall be retained or altered.
2. The private pump station cleaning/pumping frequency shall be determined by the owner's Operations and Maintenance Manual based on flows; quantity of fats, oils, and grease in the discharge; and seasonal variations. The City may assist the owner, at the owner's expense, with review of the determined cleaning frequency. Since the private pump station cleaning is required to be performed at a constant frequency, the cleaning frequency established by this chapter to ensure user compliance with chapter requirements shall ensure device compliance with this chapter, considering seasonal fluctuations. The user shall be responsible for maintaining the private pump station to ensure efficient and proper operation. The minimum pumping frequency required for the user's private pump station will be based on the following compliance criteria:
 - a. The amount of FOG floating at the top of the pump station wet well is less than six (6) inches in depth and the amount of settled solids is less than twelve (12) inches.
 - b. The amount of FOG in the wet well is not causing interference with the pump station pump controls or related components (pump control float switches) resulting in pumps becoming inoperable.
3. A user may submit a variance request to deviate from the minimum cleaning (pump-out) requirement established for private pump stations, using the procedure described in CBMC 13.25.150.

C. Private Pump Station Pump-Out Order

1. Pump-Out Order issuance and applicability: The City will issue a Pump-Out Order requiring the user to clean their private pump station when any of the following conditions apply:
 - a. The user's oil and grease concentrations from their private pump station line exceed the City's maximum discharge limit for polar fats, oils, and grease.
 - b. The amount of FOG floating at the top of the pump station wet well is more than eight (8) inches in depth or when the amount of settled solids is more than twelve (12) inches.
 - c. The amount of FOG in the wet well is causing interference with the pump station pump controls or related components (pump control float switches) resulting in pumps becoming inoperable.
 - d. Pumping frequencies are extended by the user beyond the required established pumping schedule.
2. Pump-Out Order user compliance: The user shall have seven (7) days from receipt of the order to comply. Where an emergency exists, as determined by the City, a written or verbal warning shall be given to the user, and the user will have twenty-four (24) hours to comply.

D. Disposal of Private Pump Station Waste and Waste Documentation

1. All waste removed from the user's private pump station associated with all cleaning activities and also during any maintenance activity requiring wet well drawdown by a waste hauler or transporter, the user's maintenance and repair contractor, or subcontractor, including during emergency events, shall be recorded on a manifest form. The manifest form used for this purpose shall contain the minimum information, signature requirements, type, and format approved by the City at the time of building permit issuance. A copy of the waste disposal manifest must be retained by the user (waste generator) for City inspection. If required, the original copy of the completed waste disposal manifest containing all required signatures must be forwarded to and received by the City within fourteen (14) days of the waste removal date.

E. Additives

1. The use of additive(s) placed into the private pump station shall be prohibited. Such additives shall include, but are not limited to: commercial bacteria, emulsifiers, enzymes, solvents, or other additives that absorb, purge, dissolve, saponify, emulsify, transfer, or generate excessive inert solids, oils, grease, fatty acids, or glycerides downstream of the application point or into/from the private pump station. The use of additives will not be accepted as an alternative to the required removal of wastes from the private pump station or be accepted as a basis to lengthen the time (reduce the frequency) between required private pump station maintenance (waste removal) events.

F. Chemical Treatment and Excessive Temperatures

1. Chemical treatments such as cleaners, enzymes, citrus-based oils, or other chemicals designed to dissolve, purge, or remove grease shall not be discharged to the private pump station.

2. Flushing or washing the private pump station with water having a temperature in excess of one hundred forty degrees Fahrenheit (140°F) shall be strictly prohibited, unless all of the water discharged to the pump station is collected, removed, and properly disposed of in accordance with this chapter.

13.25.130 Administrative Requirements

A. Initial Data Acquisition

1. All dischargers and owners of private pump stations will be asked to complete a "Coos Bay FOG Management Program User Information Survey" to establish the FOG Management Program database. Survey forms may be attained from the City. The purpose of this form is to identify user specifics relating to their operation, plumbing fixtures and activities capable of generating FOG discharges, information regarding existing FOG waste management, wastewater pretreatment activities and devices, including pretreatment device specifics, current private pump station specifics, and current device maintenance activities. Once the survey information is received, it will be entered into the City's database and will be updated with additional or modified information after each City discharger or private pump station facilities inspection, if applicable.

B. Inspection and Entry

1. To the extent permitted by law, authorized personnel of the City, bearing proper credentials and identification, shall have the right to enter upon all properties subject to this program, at any time and without prior notification, for the purpose of inspection, observation, measurement, sampling, testing, or record review, to determine discharger compliance with the FOG Management Program, to verify pretreatment device cleaning frequency for the discharger, to address an emergency, or to address issues associated with any City wastewater system blockage investigation. Inspections will include all parts of a facility that discharge or have the potential to discharge fats, oils, grease, solids, or wastes to the sanitary sewer system. City representatives will comply with all reasonable facility safety requirements as provided by the facility operator at the time of entry. If the City requires inspection of the pretreatment device or private pump station during device cleaning or repair, the user is required to coordinate this activity with the City and provide sufficient advance notice of the device cleaning and/or inspection date and time to the City to support this inspection request.
2. During the user's inspection, the City will evaluate the user's compliance with FOG Management Program requirements, identify deficiencies and opportunities for improvement, make recommendations for correction and improvements, and document all findings of the inspection. If there are any activities or actions required to be addressed by the user, the City will discuss these with the user and get their input on the timeframe they can address all identified deficiencies by and will consider this input prior to establishing a compliance due date for the user. The City's inspection findings and initial compliance due dates will be made available to the user (management, owner, lease holder, or operator).
3. If the deficiencies identified by the City during any inspection require a reinspection by the City to verify user compliance, the findings of this inspection will also be discussed with the user,

documented, and the results of this inspection will be made available to the user (management, owner, lease holder, or operator).

4. All incidents of continued noncompliance, or incidents requiring an increase to the minimum pretreatment device cleaning frequency, private pump station cleaning frequency, or a City request for a discharger to submit a waste reduction plan to address excessive FOG discharges to the City's wastewater system will be followed up on by the City via a written letter notice to the user. The letter notice sent by the City will include a description of the noncompliance, the actions required to be performed by the user, compliance due date(s), and response due date(s). If warranted, the City will inspect the user's facility to determine its compliance with all actions required by the user as specified by the City under the FOG Management Program.
5. Continued noncompliance will be addressed in accordance with the procedures described in CBMC 13.15.260, 13.15.270, and 13.15.280.

C. Records Retention, Record Contents, and Reporting

1. Records retention requirements: All users subject to this chapter shall retain and preserve for not less than five (5) years all records (including waste manifests, waste disposal receipts, inspection logs, pretreatment device operating and maintenance manuals, and related discharger staff training records, etc.), private pump station operation and maintenance manuals, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling, and chemical analysis made by or on behalf of the user or discharger in connection with its discharge. All such records shall be subject to review by the City. All records which pertain to matters subject to appeals or other proceedings before the director or the City Council, or any other enforcement or litigation activities brought by the City, shall be retained and preserved until such time as all enforcement or other activities have concluded and all periods of limitation with respect to any appeals have expired.
2. Manifests required: Waste manifests are required to be completed and submitted to the City (once a year prior to the end of the calendar year with their City Business License renewal application) for all wastes removed from pretreatment devices and private pump stations, as well as for any user-building sewer and sewer lateral if the sewer line and lateral contain or are expected to contain fats, oils, and grease. The waste disposal manifest must be signed by the waste generator (user), and the waste hauler. The manifest form used by the user and waste haulers and transporters servicing users discharging wastewater to the City's wastewater system must contain the minimum information required by the City, including:
 - a. User (or waste generator) information, including name, address, date and time of pumping, volume pumped for each pretreatment device or private pump station serviced at the time of waste pumping (if multiple devices are serviced during the visit), and generator signature verifying the information
 - b. Transporter information, including company name, address, driver name, and driver signature verifying transporter information
 - c. Receiving information, including facility name and address

Blank waste manifest forms are available electronically from the city and are generally provided by the waste hauler or transporter firm providing waste management services for the user.

3. Manifest submission requirements: Once the manifest is completed, the discharger (for pretreatment devices) and the private pump station property owner or designee (waste generator) are responsible for the manifest's submission to the City in the format acceptable to the City (mailed or electronically submitted) by the submission due date. Manifests of the pretreatment device maintenance, private pump station maintenance, or line-cleaning event must be received by the City by the end of each calendar year with submission of business license renewal. This provision also applies to all dischargers and all waste haulers managing wastes removed from discharger pretreatment devices and associated kitchen lines, facility sewer lines, and lateral lines (located on the discharger's premises) if the waste contains or is expected to contain fats, oils, and grease.
4. Manifest requirements for yellow and brown grease wastes: The provisions in CBMC 13.25.130 above shall also apply to the discharger and their waste haulers and transporters managing brown grease waste (and/or comingled yellow grease and brown grease waste) from on-site brown grease storage containers (drums, dumpsters, etc.). In addition to the referenced waste manifest submission requirements, these businesses shall properly document the service performed, on the invoice they submit to the discharger, as well as on the discharger's maintenance log, which shall be retained on-site.
5. Manifests not required: A manifest may not be required when associated with the following:
 - a. Wastes removed by the discharger from interior hydromechanical grease interceptor devices in a response to addressing an emergency or after-hours backup, if this waste is (and can be) properly disposed of by the discharger in their solid waste trash (after proper containment in a plastic bag). For this provision, the discharger shall be required to properly document this activity on the discharger's maintenance log, including the estimated amount of waste removed from the interior pretreatment device (or area spillage) by the discharger and disposed of in the solid waste trash, the date and time of this activity, and the name of the person performing this activity. The discharger's maintenance log shall be retained on-site for discharger reference.
 - b. Yellow grease waste generated by the user that is not comingled with brown grease waste and is stored on-site by the user for waste recycling by a third party. For this provision, the discharger shall be required to properly document this activity on the discharger's maintenance log, including the estimated amount of waste by the discharger's waste recycling facility, the date and time of this activity, and the name of the business performing this activity. The discharger's maintenance log shall be retained on-site for discharger reference.
6. Notification obligation: In the event that any user is unable to comply with any FOG Management Program requirement due to a breakdown of equipment, accidents, or human error, or the user has reasonable opportunity to know that its discharge will exceed the discharge provisions of this chapter, the discharger shall immediately notify the City by telephone and/or email. If the material discharged by the user to their wastewater system has the potential to cause or result

in sewer blockages or sanitary sewer overflows (SSOs), the discharger shall immediately notify the local Health Department, the City, and all other appropriate agencies.

13.25.140 Program Fees

- A. There will be no additional program fees for the FOG Management Program, as all fees for this program are incorporated into the annual sewer rates consistent with CBMC 13.15.120.

13.25.150 Variance Requests

A. General Variance Applicability

- 1. A user unable to meet the applicable requirements of these rules may request a variance. Users who violate the terms of an approved variance will be in violation of these rules and subject to notice of violation and enforcement issuance pursuant to CBMC 13.25.260, 13.25.270, and 13.25.280.
- 2. Variance request items: Users may request and be granted a variance by the City to deviate from the minimum or maximum pretreatment device cleaning frequency or minimum private pump station cleaning frequency specified under this chapter.

B. Variance Request Submittal Requirements

- 1. At minimum, users submitting a variance request shall meet the following submittal requirements specified by the City. The user's variance request and submittals shall be sent to the City. The user shall submit the following items to the City:
 - a. A completed "City Variance Request Form" that includes an explanation of why the user should not be required to meet the referenced standards and/or the applicable rules and why the suggested cleaning is appropriate for their discharge
 - b. A copy of all facility menus or list of all foods prepared and/or cooked and beverages prepared, brewed, or served on the premises, or a list of services performed at the facility
 - c. An updated "Coos Bay FOG Management Program User Information Survey" form
 - d. Copies of all waste disposal manifests (where applicable) for all pretreatment devices or private pump stations located on the user's premises (and serving the user) for the last twelve (12)-month period
 - e. Copies of all user maintenance logs for all interior hydromechanical grease interceptor devices or private pump stations located on the discharger's premises for the last twelve (12)-month period

C. City Evaluation of Variance Request

1. The user's variance request to the City must demonstrate that all applicable variance approval criteria apply to their request, as specified below:
 - a. The requested variance to reduce or increase the pretreatment device cleaning frequency will result in either minimal or no FOG to be discharged by the user.
 - b. The proposed device cleaning schedule is sufficient to limit FOG discharges to 100 mg/L polar oil and grease and limit the pH discharge to between 5.0 and 10.0 Standard Units (SU).
 - c. The proposed device cleaning frequency will not generate a waste accumulation amount that exceeds the City's requirement specified in this chapter.

The user must describe the existing pretreatment devices and the cleaning and maintenance schedule for each device. Monitoring data may be required to be submitted by the user and verified by the City to approve this type of variance request.

2. Since the pretreatment device is required to be cleaned at a consistent routine frequency, the cleaning frequency established shall sufficiently address discharge quality at both device high season use and low season use. The user shall be responsible for maintaining the FOG and/or solids pretreatment device in such a condition for efficient and proper operation. The device's compliance will be evaluated by the City as follows.
 - a. The FOG pretreatment device shall be evaluated using "the 25% Rule," as defined in this chapter. The 25% Rule requires that the depth of oil and grease (floating and settled) in a pretreatment device shall not be equal to or greater than twenty-five percent (25%) of the total operating depth of the device. The operating depth of a device is determined by measuring the internal depth from the outlet water elevation to the bottom of the device. In application of this rule, the depth of floating fats, oils, and grease waste shall not be greater than twenty percent (20%) of the total operating depth of a device since solids may be settled in the bottom five percent (5%) of the device.
 - b. A pretreatment device shall be considered noncompliant if the fats, oils, and grease layer on top exceeds six (6) inches; or the solids layer on the bottom exceeds twelve (12) inches; or the device is not retaining/capturing oils and greases; or the removal efficiency of the pretreatment device, as determined through sampling and analysis, is less than eighty percent (80%); or if the device is discharging FOG passthrough from the device to the wastewater system.
 - c. The solids pretreatment device shall be evaluated using "the 50% Rule," as defined in this chapter. The 50% Rule requires that the depth of solids (floating and settled) in a solids pretreatment device shall not be equal to or greater than fifty percent (50%) of the total operating depth of the device. The operating depth of a device is determined by measuring the internal depth from the outlet water elevation to the bottom of the device. In application of this rule, the depth of floating solids waste shall include the depth of both floating and settled solids of the device.

- d. A solids pretreatment device shall be considered noncompliant if the total solids depth (floating solids depth plus settled solids depth) exceeds fifty percent (50%) of the hydraulic volume capacity or operating volume capacity for the device; and/or the volume of solids exceeds the requirements specified for the device by the device manufacturer; or the device is not retaining/capturing solids; or the device is no longer able to pretreat or remove solids from the device to the wastewater system.
3. The requested variance to reduce a private pump station cleaning frequency specified in this chapter or as established by the City for the user will result in both:
 - a. Minimal FOG and solids to be discharged by the user to the City's wastewater system.
 - b. The cleaning frequency being sufficient to prevent excessive waste accumulation onto private pump station components (pump control floats and other critical equipment) necessary to ensure for the proper operation of the device.

The user must describe the existing private pump station elements and the cleaning and maintenance schedule for each pump station that is on their property and discharging to the City's wastewater system. Monitoring data may be required to be submitted by the user (floating grease and solids waste and settled solids waste accumulation rates within the pump station) and verified by the City in order to approve this type of variance request.

4. Variance inspection: Where applicable, the City may inspect the user's pretreatment device(s) and/or private pump station facilities over the requested variance extension period to determine the appropriateness of the user's variance request. In some circumstances, the City may require the user to coordinate one or several device-cleaning activities, in order to evaluate the appropriateness of the user's variance request.
5. Variance determination: The user will receive a written notification of the City's approval or denial of the variance request within thirty (30) days from the receipt of the request, unless:
 - a. the City requires additional time to inspect and monitor waste accumulation rates within the pretreatment device(s) or pump station before making a final determination of the user's variance request; or
 - b. where an extension is agreed upon by both parties.

If the user is not satisfied with the City's finding, the user may appeal the City's finding to the director, using the appeals procedure described in this chapter.

6. Variance revocation: The City may revoke the variance approved for a user if the user fails to comply with Coos Bay FOG Management Program requirements or changes the nature of the wastewater discharged to the pretreatment device, or by the private pump station facility, that impacts or has the potential to impact wastewater quality in a manner that increases fats, oils, and grease discharges from their wastewater system.

13.25.160 Violations

- A. Users or persons violating these rules may be subject to the enforcement actions specified in CBMC 13.15.260, 13.15.270, and 13.15.280.

13.25.170 Enforcement

- A. Enforcement remedies: The enforcement remedies include those set forth in CBMC 13.15.260, 13.15.270, and 13.15.280.

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