

**ORDINANCE NO. 2010-13**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA IMPLEMENTING AN OIL AND GREASE MANAGEMENT AND PREVENTION PROGRAM INCLUDING PROVISIONS FOR ADMINISTRATIVE PROCEDURES, ENFORCEMENT, PENALTIES AND INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE AND APPLICABILITY.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, AS FOLLOWS:**

**ARTICLE I  
OIL AND GREASE MANAGEMENT PROGRAM**

**SECTION 1.1. PURPOSE AND INTENT.** The purpose of this Ordinance is for implementation of an Oil and Grease Management Program which shall be referred to as the "County Oil and Grease Management Program". The objective of the County Oil and Grease Management Program is to minimize the introduction of fat-soluble wastes to the County wastewater collection and treatment system and to provide enforcement procedures and cost recovery charges from users receiving and treating abnormally high-strength compatible wastes, such as carbonatious biochemical oxygen demand (CBOD) and total suspended solids (TSS).

**SECTION 1.2. DEFINITIONS.**

**"Backflush"** means the act of returning previously removed material to a grease interceptor or trap.

**"Baffles"** means the interior walls of a grease interceptor or trap that slows the flow of water.

**"BOD" or "BIOCHEMICAL OXYGEN DEMAND"** means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 degrees Celsius, expressed in terms of weight and concentration (milligrams per liter).

**"CBOD"** means Carbonatious Biochemical Oxygen Demand.

**"Decanting"** means the act of returning water to a grease interceptor or trap that has been separated from the waste removed from a grease interceptor or trap.

**"Emulsions"** means a mixture of two immiscible (unblendable) substances. One substance (the dispersed phase) is dispersed in the other (the continuous phase). Examples of emulsions include butter and margarine, milk and cream, espresso, mayonnaise, etc.

**"OGMP"** means the Oil and Grease Management Program.

**"POTW"** means the Publicly Owned Treatment Works of the Columbia County Wastewater Treatment Plant.

**"Sludge"** means settled material found on the bottom of a grease interceptor or trap.

**"TSS" or "Total Suspended Solids"** means all solids that either float on the surface or are in suspension in water, sewage, wastewater or other liquids and which are removable by laboratory filtering.

**"User"** means any nonresidential establishment that prepares, processes or serves food or food products and any nonresidential establishment that has the potential to discharge wastes containing residual petroleum based oil and grease and shall include owners of multifamily dwellings, such as triplexes, quadraplexes, townhouses, condominiums, apartment buildings and apartment complexes.

**"Wastewater"** means any water that has been adversely affected in quality. It comprises liquid waste discharged by domestic residences, commercial properties, industry, and/or agriculture and can encompass a wide range of potential contaminants and concentrations.

## **ARTICLE 2 OIL AND GREASE PREVENTION PROGRAM**

### **SECTION 2.01. GENERAL CRITERIA.**

(A) The discharge by a user to the publicly owned treatment works (POTW) of certain liquids or wastes may be prohibited or limited by the provisions of this Ordinance.

(B) Wastes, which contain oil and grease, may be discharged to the POTW in accordance with the conditions set forth in this Ordinance.

(C) Wastes containing oil and grease, including materials processed through garbage grinders shall be directed to the grease interceptor or trap.

(D) Wastes containing residual (trace amounts) petroleum based oil and grease shall be directed to the oil/water separator.

(E) Sanitary facilities and other similar fixtures shall not be connected or discharged to the oil and grease interceptor or the oil/water separator.

(F) Liquid wastes shall be discharged to the oil and grease interceptor or oil/water separator through the inlet pipe only and in accordance with the design/operating specifications of the device.

(G) Oil and grease interceptors and oil/water separators shall be installed in a location that provides easy access at all times for inspections, cleaning and proper maintenance, including pumping. Oil and grease interceptors shall not be located in or near any part of a structure where food handling is done. The County shall approve the location of the oil and grease interceptor or oil/water separator prior to installation.

(H) Nonresidential establishments (users) that prepare process or serve food or food products shall have an approved oil and grease interceptor. Nonresidential establishments that have the potential to discharge wastes containing residual petroleum based oil and grease, such as commercial laundries, car washes and automotive related facilities, shall have an approved oil/water separator. Other users may be required by the County to install an approved oil and grease interceptor or an oil/water separator, as appropriate, for the proper handling of wastes containing oil and grease exceeding one hundred (100) mg/l by weight.

(I) Other types of food manufacturing or food preparation enterprises, such as, but not limited to, commissaries, commercial kitchens and caterers shall install an oil and grease interceptor. Oil and grease interceptors shall be sized on an individual case by case basis. A control manhole or inspection box for monitoring purposes shall be required and installed at the owner/operator's sole expense, as approved by the County.

(J) Multifamily dwellings; such as triplexes, quadraplexes, townhouses, condominiums, apartment buildings, apartment complexes or areas of intensified dwelling which are found by the County to be contributing oil and grease in quantities sufficient to cause main line stoppages, lift station malfunctions, or necessitate increase maintenance on the collection system, said user(s) shall be directed to implement an onsite education program for the tenants of said structures. Cease discharging oil and grease to the POTW and/or shall be required to install a grease and oil interceptor. The capacity of the oil and grease interceptor shall be evaluated on a case by case basis. A control manhole or inspection box for monitoring purposes shall be required and installed at the owner/operator's sole expense, as approved by the County.

(K) Automotive related enterprises, commercial laundries, Laundromats, and other users, which contribute wastes containing petroleum (hydrocarbon) based oils and greases shall install an oil/water separator. Oil/water separators shall be sized on an individual case by case basis using established design guidelines for the proposed facility. A control manhole or inspection box shall be installed downstream.

(L) Oil and grease interceptors and oil/water separators shall be installed solely at the user's expense. Proper operation, maintenance, and repair shall be done solely at the user's expense.

(M) Minimum removal efficiency for oil and grease interceptors for animal fats and vegetable oils shall be eighty percent (80%). Minimum removal efficiency for oil/water separators for trace petroleum based wastes shall be ninety percent (90%).

(N) The County may request that the non-residential user provide documentation on the design and performance of the oil and grease interceptor or oil/water separator. Information to be submitted includes, but may not be limited to, catalog cuts, performance data, materials of construction, installation instructions and operation and maintenance manual.

(O) The County may assign a nonresidential user to the Surcharge Program.

#### **SECTION 2.02. DESIGN.**

(A) Oil and grease interceptors and oil/water separators shall be designed and constructed in accordance with this Ordinance, the County's "Columbia County Water and Wastewater Technical Manual", latest edition, and other applicable State and local regulations. The County shall approve design and construction

(B) The design of oil/water separators shall be based on peak flow and where applicable, capable of treating and removing emulsions. Oil/water separators shall be sized to allow efficient removal (retention) of the petroleum-based oils and grease from the user's discharge to the POTW.

(C) Alternative oil and grease removal devices or technologies shall be subject to written approval by the County and shall be based on demonstrated (proven) removal efficiencies. Under-the-sink oil and grease interceptors are prohibited for new facilities.

(D) An adequate number of inspection and monitoring points, such as a control manhole or inspection box, shall be provided.

**SECTION 2.03. CAPACITY.** The capacity of the approved oil and grease interceptor and oil/water separator shall be in accordance with the requirements set forth in the latest edition of the "Columbia County Water and Wastewater Technical Manual". The County may modify the requirements on a case by case basis.

**SECTION 2.04. INSTALLATION.**

(A) New Facilities. On or after the effective date of this Ordinance, facilities having the potential to discharge oil and grease, which are newly proposed or constructed, or existing facilities which shall be expanded or renovated to include a food service facility where such facilities did not previously exist, shall be required to install an approved, properly operated and maintained oil and grease interceptor or oil/water separator. Sizing calculations shall be in accordance to the formulas listed in the County's Columbia County Water and Wastewater Technical Manual, latest edition. Oil and grease interceptors or oil/water separators shall be installed prior to the opening or reopening of said facilities.

(B) Existing Facilities.

1. On or after the effective date of this Ordinance, existing food service or automotive related facilities shall be required to install an approved, properly operated and maintained oil and grease interceptor or oil/water separator when any of the following conditions exist:

(a) The facilities are found by the County to be contributing oils and grease in quantities sufficient to cause line stoppages or necessitate increased maintenance on the collection system.

(b) Remodeling of the food preparation or kitchen waste plumbing facilities that are subject to a permit that is issued by the Building Department.

(c) Remodeling of an automotive related enterprise, commercial laundry or other users that potentially may contribute wastes with petroleum based oils and greases.

2. The County shall determine the compliance date under this Subsection.

**SECTION 2.05. EXTENSIONS.** Any requests for extensions to the required installation dates must be made in writing to the County, at least fifteen (15) days in advance of the compliance date. The written request shall include the reasons for the user'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.

**SECTION 2.06. MAINTENANCE.**

(A) The user shall perform cleaning and maintenance. Cleaning shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids.

(B) Decanting, backflushing or discharging of removed wastes back into the oil and grease interceptor or oil/water separator from which the waste was removed or any other oil and grease interceptor or oil/water separator, for the purpose of reducing the volume to be hauled and disposed is prohibited.

(C) Oil and grease interceptors and oil/water separators shall be pumped out completely at a minimum frequency of once every ninety (90) days, or more frequently as needed to prevent carry over of oil and grease into the collection system. Under the sink oil and grease traps shall be cleaned at a minimum frequency of once per week, or more often as necessary to prevent pass through of grease and other food solids to the collection system. Cleaning and maintenance shall include removal of materials from the tank walls, baffles, cross pipes, inlets and outlets.

(D) Pumping frequency shall be determined by the County based on flows, quantity of oil and grease in the discharge, volume of business, hours of operations and seasonal variations. In no case shall the pumping frequency exceed ninety (90) days. The user shall be responsible for maintaining the oil and grease interceptor or oil/water separator in such a condition for efficient operation. An interceptor shall be considered to be out of compliance if the grease layer on top exceeds six (6) inches and the solids layer on the bottom exceeds twelve (12) inches or if removal efficiencies as determined through sampling and analysis indicate less than eighty percent (80%) .

(E) Wastes removed from each oil and grease interceptor or oil/water separator shall be disposed at a permitted facility to receive such wastes or a location designated by the County for such purposes, in accordance with the provisions of this Ordinance. In no way shall the pumpage be returned to any private or public portion of the collection system or the treatment plants.

(F) Additives placed into the oil and grease interceptor, oil/water separator or building discharge line system on a constant, regular or scheduled basis shall be reported to the County in writing at least five (5) days prior to use. Such additives shall include, but not be limited to, emulsifiers, enzymes, commercially available bacteria, or other additives designed to absorb, purge, consume, treat, or otherwise eliminate grease and oils. The County prior to introduction into the waste stream, interceptor, or separator shall approve any use of additives in writing. The use of additives in no way shall be considered, as a substitution to the maintenance procedures required herein.

(G) Flushing the oil and grease interceptor or oil/water separator with water having a temperature in excess of 140° F shall be strictly prohibited.

(H) All maintenance of oil and grease management devices, including proper disposal, shall be performed by the user at the user's sole expense.

## **SECTION 2.07. USER IDENTIFICATION.**

(A) It is unlawful for any facility producing oil and grease waste to discharge into the County's collection system without authorization from the County. Authorization shall be given in the form of an oil and grease discharge certificate. Application for a certificate shall be made to the County. If, after examining the information contained in the oil and grease registration certificate application, it is determined by the County that the proposed facility does not conflict with the provisions of the Ordinance, a certificate shall be issued allowing the discharge of such wastes into the collection system. Each oil and grease registration certificate shall be issued for a time not longer than five years from the date of the certificate. The user shall apply for certificate re-issuance a minimum of sixty (60) days prior to the expiration of the user's existing certificate. The terms and conditions of the certificate may be subject to modification by the County during the term of the certificate as limitations or requirements as identified in this Ordinance are modified or other just causes exist. The user shall be informed of any proposed changes in the issued certificate at least sixty days prior to the effective date of the change(s). Any changes or new conditions in the certificate shall include a reasonable schedule for compliance.

(B) As a condition precedent to the granting of an oil and grease registration certificate, the recipient under this section shall agree to hold harmless the County and the County's employees from any liabilities arising from the user's operations under this certificate.

(C) The County shall establish a schedule of charges for issuance and renewal of the oil and grease registration certificates. The charges shall be established to insure full cost recovery in the enforcement of this ordinance, and shall include, but shall not be limited to, the cost of field, administrative, engineering and clerical expenses involved. The schedule of charges shall be on file at the Office of the County Manager or his designee and shall be available to the public.

## **SECTION 2.08. ADMINISTRATIVE PROCEDURES.**

(A) A manifest that confirms pumping, hauling, and disposal of waste shall be kept by user to track pumpage from oil and grease interceptors and oil/water separators. This manifest shall contain the following information:

1. Generator information:
  - Name
  - Contact Person
  - Address
  - Telephone Number
  - Volume Pumped
  - Date and Time of pumping

- Name and Signature of generator verifying generator information.
2. Transporter information:
- Company Name
  - Address
  - Telephone Number
  - Volume Pumped
  - Date and Time of pumping
  - Driver Name and Signature of transporter verifying transporter information and service
  - Destination Information Disposal Site or Facility:
  - Company Name | Permit Number(s)
  - Contact Person(s)
  - Address
  - Telephone Number
  - Location of Disposal Site/Facility
  - Volume Treated
  - Date and Time of Delivery
  - Driver Name, Signature and Vehicle No.
  - Name and Signature of operator verifying disposal site and facility information.

(B) The user shall maintain a log of pumping activities for the previous twelve (12) months. The user shall post the log of pumping activities in a conspicuous location for immediate access. The log shall include the date, time, volume pumped, hauler's name and license number and hauler's signature. The user shall report pumping activities within forty-eight (48) hours to the County on the form so designated by the County for such purposes.

(C) The user shall maintain a file on site of the records and other documents pertaining to the facility's oil and grease interceptor or oil/water separator. The file contents shall include, but is not limited to, the record (as-built) drawings, record of inspections, log of pumping activities and receipts, log of maintenance activities, hauler information, disposal information and monitoring data. The file shall be available at all times for inspection and review by the County.

(D) The County may require the user to provide, operate and maintain at the user's expense, appropriate monitoring facilities, such as a control manhole, that are safe and accessible at all times, for observation, inspection, sample collection and flow measurement of the user's discharge to the POTW. The County may impose additional limitations and monitoring requirements for the discharge to the POTW in accordance with the provisions set forth in this Ordinance.

**SECTION 2.09. ENFORCEMENT.**

(A) A Notice of Violation shall be issued to a user for failure to:

1. Report pumping activities;
2. Properly maintain (clean-out or pump) the interceptor or separator in accordance with the provisions of the oil and grease discharge certificate;
3. Maintain and post the log of pumping activities;
4. Maintain a file of records on site at all times;
5. Provide logs, files, records, or access for inspection or monitoring activities;
6. Obtain or renew the oil and grease discharge certificate registration; or
7. Pay program fees.

(B) The County may serve any user a written notice stating the nature of violation. The user shall have seventy-two (72) hours to complete corrective action and submit evidence of compliance to the County.

(C) If a user violates or continues to violate the provisions set forth in this section or fails to initiate/complete corrective action within the specified time period in response to a Notice of Violation, then the County may pursue one or more of the following options:

1. Pump the oil and grease interceptor or oil/water separator and place the appropriate charge on the user's monthly sewer bill;
2. Collect a sample and assess the appropriate surcharge (2) for compatible wastes in accordance with the provisions of this Ordinance;
3. Impose an administrative penalty;
4. Assess a reasonable fee for additional inspection, sample collection and laboratory analyses;
5. Revoke the County occupational license;
6. Terminate water and sewer service; or

7. Any combination of the above enforcement actions.

(D) Progressive enforcement action shall be pursued against users with multiple violations of the provisions of this section including, but not limited to, termination of water service.

(E) The user shall pay all outstanding fees, penalties, and other utility charges prior to reinstatement of water and sewer service.

(F) Any user in the Oil and Grease Management Program found in violation of the provisions in this Ordinance, and any orders, rules, regulations and permits that are issued pursuant to this Ordinance, shall be served by the County with written notice by personal delivery by an authorized County employee or by registered or certified mail that states the nature of the violation and providing a reasonable time limit for satisfactory correction of the violation. The affected user shall permanently cease all violations within the time period specified in the notice. The enforcement remedies available to the County to achieve compliance with the requirements of the OGMP shall include those in Ordinance 2010-1 and any Ordinance as may be enacted to address wastewater pretreatment requirements.

(G) The County may assign a non-residential user to the Surcharge Program for noncompliance with the provisions of this Ordinance.

**SECTION 2.10. PERMITS.** The County shall issue a Certificate of Registration to the users in the OGMP. The County may require users to complete an information questionnaire and facility visit prior to issuance of the registration certificate.

**SECTION 2.11. OIL AND GREASE MANAGEMENT Enforcement; COST RECOVERY CHARGES.** The County may adopt a schedule of charges as deemed necessary to enforce the requirements and programs in this ordinance. These charges are imposed to recover the costs incurred by the County to implement and enforce the provisions of this ordinance. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties assessed by the County.

**SECTION 2.12. INJUNCTIVE RELIEF.** When the County Manager finds that a user has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard of requirement, the County Manager may petition the circuit court through the City's attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Ordinance on activities of the user. The County Manager may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental

remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

**SECTION 2.13. CIVIL PENALTIES.**

(A) A user who has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the County for a maximum civil penalty of \$1,000.00 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

(B) The County shall be entitled to recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, regulatory fines or penalties, and the cost of any actual damages incurred by the County.

(C) In determining the amount of civil liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

(D) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

**SECTION 2.14. REMEDIES NONEXCLUSIVE.** The remedies provided for in this article Ordinance are not exclusive. The County Manager or his designee may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the County's enforcement response plan. However, the County Manager or his designee may take other action against any user when the circumstances warrant. Further, the County Manager or his designee is empowered to take more than one enforcement action against any noncompliant user.

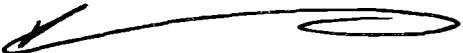
**ARTICLE III  
MISCELLANEOUS PROVISIONS**

**SECTION 3.01. SEVERABILITY.** If any article, section, subsection, paragraph, phrase, or word of this Ordinance for any reason is held to be unconstitutional or invalid, such holdings shall not affect the remaining portions hereof and this Ordinance shall be construed to have the legislative intent to pass this Ordinance without such unconstitutional or invalid part.

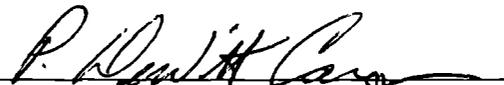
**SECTION 3.02. EFFECTIVE DATE AND APPLICABILITY.** This Ordinance shall take effect upon filing with the Secretary of State. Except as specifically provided otherwise herein, this Ordinance shall supersede all other ordinances of Columbia County to the extent such other ordinances are in conflict herewith.

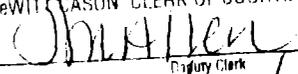
**DULY ADOPTED** this 20<sup>th</sup> day of July, 2010.

**BOARD OF COUNTY COMMISSIONERS OF  
COLUMBIA COUNTY, FLORIDA**

By:   
Chairman

**ATTEST:**

  
Clerk of Court

STATE OF FLORIDA, COUNTY OF COLUMBIA  
I HEREBY CERTIFY that the above and foregoing  
is a true copy of the original filed in this office  
P. DEWITT CASON, CLERK OF COURTS  
By:   
Deputy Clerk  
Date: 7/26/10

