

BOARD OF HEALTH REGULATION

ARTICLE 29

GREASE TRAP REQUIREMENTS FOR FOOD ESTABLISHMENTS

Authority

In accordance with Massachusetts General Laws Chapter 111, section 31; the Saugus Board of Health adopts the following regulation.

Purpose

The purpose of this regulation is to protect residents, businesses, and the environment within the Town of Saugus from blockages of the Town's sanitary sewer system caused by grease, kitchen oils, and other substances discharged from food establishments located in Town. The Town of Saugus Sewer Use Regulations § IV.21 requires that grease interceptors be used at restaurants. Further, the Town of Saugus Sewer Use Regulations § IV.4.c prohibit the discharge of wastewater containing fats, oil, and grease that solidify or become viscous between 32 degrees and 150 degrees. This regulation will ensure that fats, oil, and grease do not enter the sanitary sewer system and in compliance with the Town of Saugus Sewer Use Regulations.

Effective Date

Upon passage and approval of the Board of Health and pursuant to Massachusetts General Laws Chapter 111, section 31.

Time of Compliance

All businesses and establishments subject to this regulation shall be in compliance within 18 months of the effective date.

Definitions

Agent: Any duly authorized agent of the Saugus Board of Health as specified under Massachusetts General Laws, c. 111, sec 30, including but not limited to the Director of Public Health, the Health Agent, and the Environmental Engineer.

Automatic Grease removal system: (also referred to as an "active grease removal system") a grease trap that automatically removes FOG from waste water discharged from ware wash sinks, machines and other equipment that produces grease.

Building Sewer: A pipe or pipes maintained and controlled by private persons for the purpose of conveying wastewater from the waste producing location to the sanitary sewer collection system.

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Food Establishment: Any establishment issued a permit to operate a food establishment by the Saugus Board of Health under 105 CMR 590.000.

Grease: A material composed of fatty matter from animal or vegetable sources. The terms “oil and grease” or “oil and grease substances” and “fats, oil and grease” (FOG), shall be deemed grease by definition, in detectable limits using analytical testing procedures set forth in ASTM Standard.

Grease: Low volume grease producers: Food establishments that prepare a minimal amount of foods, do not prepare foods on site, or do not have large quantities of ware washing using only disposable wares and utensils; determination of this definition shall be made by the Board of Health

Grease: Medium volume grease producers: Food establishments that prepare foods on site that do not contain heavy grease or milk / cream fat and do not have large quantities of ware washing using only disposable wares and utensils for take-out and eat-in diners.

Grease: High volume grease producers: Food establishments that prepare foods on site, foods contain grease and milk / cream fat, use china, silverware and glassware for eat-in diners and ware wash with commercial dishwashers. Determination of this definition shall be made by the Board of Health

Grease Trap: A water tight device constructed to separate and trap or hold grease from the wastewater discharged from a food establishment in order to prevent grease from entering the sanitary sewer system, also referred to as a Grease Interceptor or Grease Recovery Device. The grease trap may be an internal grease trap located within the facility, an external grease trap located outside the food establishment, or both.

Point of use internal grease trap: An internal grease trap designated for specific plumbing fixtures listed under section B.

Remodeled Food Establishments: A food establishment that undergoes a renovation which may or may not have required the submittal of plans to the Board of Health during the Plan Review process.

Septage Handler / Hauler: Any septage handler / hauler that has been issued a permit to transport septage within the Town from the Board of Health under 310 CMR 15.000.

Ware wash Sink: Any sink, compartment sinks, containers, buckets, or other device or vessel in a food establishment, where utensils, dishware equipment and other items coming into contact with food are cleaned.

Wares wash Machine: Any machine, or other mechanical device or vessel in a food establishment, where utensils, dishware, equipment and other items coming into contact with food are cleaned.

General Provisions

A. Grease Trap Installation

The Board of Health shall require the installation and/or relocation of an internal grease trap, external grease trap or secondary grease trap at a food establishment, as it may deem necessary to maintain any particular building sewer pipe, any lateral sewer pipe, or sewer main pipe free from obstructions caused by fats, oil or grease emanating from a food establishment.

B. New Food Establishment

In every case where a Food Establishment is preparing or selling food, a suitable internal grease trap and an external grease conforming to applicable building and plumbing codes must be installed. At the discretion of the Board of Health, if an external grease trap cannot be installed due to space limitations or other conditions which make installation not feasible, a secondary interior grease interceptor must be installed. Cost to install an exterior grease trap will not be a determining factor to the Board of Health. The burden of demonstrating that an external grease trap cannot be installed is the responsibility of the food establishment and not the Town of Saugus. Installation of all internal, external or secondary grease traps shall comply with 248 CMR Commonwealth of Massachusetts State Plumbing Code. Low volume grease producing food establishments that do not prepare foods on site or produce a low volume of grease shall install an Automatic Grease Removal system. Such a food establishment may not be required to install an outside grease trap or secondary internal grease interceptor pending approval of the Board of Health.

Point of use internal grease traps must be installed for the following plumbing fixtures. For new, existing and remodeled food establishments with Wok stations, an automatic grease trap at point of use must be installed:

1. Pot sinks (with bowl depths exceeding ten inches),
2. Scullery sinks (with bowl depths exceeding ten inches),
3. Floor drains in food preparation areas only
4. Floor sinks in food preparation sinks only
5. Automatic dishwashers regardless of temperature,
6. Pre-rinse sinks without a garbage disposal
7. Soup kettles or similar devices,
8. Wok stations, and

9. Automatic hood wash units.

C. Existing Or Remodeled Food Establishments

All existing or remodeled food establishments with a ware wash sink or ware wash machine must install at a minimum an internal grease trap. Existing or remodeled food establishments shall also install an external or secondary grease trap in compliance with Section B. At the discretion of the Board of Health, if an external grease trap cannot be installed due to space limitations or other conditions which make installation not feasible, a secondary interior grease interceptor must be installed. Cost to install an exterior grease trap will not be a determining factor to the Board of Health. The burden of demonstrating that an external grease trap cannot be installed is the responsibility of the food establishment and not the Town of Saugus. Installation of all internal, external or secondary grease traps shall comply with 248 CMR Commonwealth of Massachusetts State Plumbing Code.

D. Size and installation

External grease traps must have a minimum capacity of 1000 gallons and shall be sized in accordance with 310 CMR 15.230 Pretreatment Units—Grease Traps. In the absence of seating the minimum size grease trap shall be 1000 gallons or 100% of peak daily water use, whichever is greater, to ensure a 24-hour detention time. For the purpose of this regulation, when evaluating new construction, the peak daily flow used may be established by water use records from a similar food establishment. The burden of modifying this condition is the responsibility of the food establishment and not the Town of Saugus.

Inspection port:

All existing, new and remodeled establishments shall have an inspection port installed at the discharge pipe for each grease trap and approved by the plumbing inspector, for the purpose of sample testing of the effluent that is being discharged.

All existing establishments must install inspection ports with-in 18 months of the date of adoption of this regulation.

Installation of all internal, external or secondary grease traps shall comply with 248 CMR Commonwealth of Massachusetts State Plumbing Code.

E. Grease Trap Maintenance

All grease traps shall be maintained by the food establishment at the food establishment's expense. At a minimum, the food establishment or its designee shall inspect grease traps monthly; and, shall have all grease traps cleaned before the amount of grease exceeds twenty-five percent (25%) of the grease capacity of the grease trap or **once every month for internal grease traps (wok point of use grease**

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traps may require more frequent cleaning) and once every 3 months for external grease traps, or as often as necessary to ensure the proper operation of the grease trap within effluent limits as defined in current applicable sewer use regulations, whichever comes first. Written logs of inspections, cleaning and pumping shall be maintained in an on-site binder readily accessible to authorized agents of the Board of Health, inspectional services department, plumbing & gas inspector and any other authorized responsible personnel from the town of Saugus.

F. Best Management Practices

Food establishments shall integrate best management practices to reduce grease discharged to the sewer system, In addition to maintenance of grease traps, best management practices include, but are not limited to:

- (1) Dry wiping pots, pans, and dishes before putting them in the dishwasher or ware wash sink;
- (2) Collecting and disposing of used grease through a licensed septage handler instead of pouring it down the drain;
- (3) Capturing the grease in ventilation and exhaust hoods.

G. Storage of Waste Grease from Food Preparation

All waste grease and other related wastes requiring storage at the food establishment as a result of removal from grease traps or otherwise, shall be collected and stored in appropriate container(s) in an approved location at the food establishment. Container(s) shall be stored on an impervious surface such as concrete or pavement. Containers shall be either sealed or stored in a sheltered area, and maintained to prevent entry of precipitation and of animals. All waste grease and related wastes shall be removed from the food establishment only by a permitted septage handler. All grease containers and surrounding areas must be kept in a sanitary condition at all times.

H. Disposal

All grease or waste grease and related wastes shall be removed from the food establishment only by a permitted septage hauler. All material removed from grease traps, and hauling and disposal of grease and other related waste, shall be documented in a written record. The food establishment is responsible for assuring that all waste grease and related wastes are disposed of in accordance with all Federal, State, and Local disposal regulations.

Inspection and Record Keeping

Authorized agents of the Saugus Board of Health, inspectional services department, plumbing & gas inspector and any other authorized responsible personnel from the Town of Saugus shall enforce the provisions of this regulation. Any agent of the Board of Health or authorized personnel from the Town of
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Saugus may, according to law, enter upon any premises at any reasonable time to inspect for compliance.

All records pertaining to purchasing, storage and removal of grease and related products, and waste products shall be retained by the food establishment on premises for no less than three (3) years.

Pumping and cleaning records for all grease traps must be forwarded to the Board of Health within seven (7) days of the pumping or cleaning indicating the date, amount of grease pumped or cleaned, condition of the trap and the facility where the grease will be disposed.

A record log shall be posted at the internal grease trap indicating the date, grease trap cleaning company, quantity of grease cleaned, location of disposition and condition of the grease trap. This log must be accessible for authorized agents of the Saugus Board of Health, inspectional services department, plumbing & gas inspector and any other authorized responsible personnel from the Town of Saugus to review.

Upon request by authorized agents of the Saugus Board of Health, inspectional services department, plumbing & gas inspector and any other authorized responsible personnel from the Town of Saugus, a food establishment shall furnish all information required to enforce and monitor compliance with this regulation, including but not limited to, a complete inventory of all food and maintenance related products that are purchased by the food establishment, receipts from permitted septage handler retained to remove waste grease or related wastes from the food establishment.

Refusal to provide reasonable cooperation and access shall constitute a violation of these regulations subject to enforcement as set forth below.

Enforcement

1. Notice

Authorized agents of the Saugus Board of Health, inspectional services department, plumbing & gas inspector and any other authorized responsible personnel from the Town of Saugus may serve upon any person in violation of this regulation a written notice stating the substance of the violation. Within 30 days of the date of such notice, a plan for correction of the violation shall be submitted to the Board of Health. Failure to correct violations of any provision of this regulation may result in enforcement and/or penalties as set forth below.

2. Suspension or Revocation

The Board of Health may suspend or revoke any permit to operate a Food Establishment issued pursuant to 105 CMR 590.000. Such revocation or suspension shall follow the procedure as outlined in 105 CMR 590.000.

3. Non-Criminal Disposition

This regulation may be enforced by any authorized agents of the Saugus Board of Health, inspectional services department, plumbing & gas inspector and any other authorized responsible personnel from the Town of Saugus.

Whoever violates any provision of this regulation may be penalized by a non-criminal disposition process as provided in M.G.L. c.40, §21D and Saugus's non-criminal disposition by-law. If non-criminal disposition is elected, then any person who violates any provision of this by-law shall be subject to a penalty in the amount of fifty dollars (\$50.00) per day for each day of violation, commencing ten days following day of receipt of written notice from the Board of Health. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

4. Other

Whoever violates any provision of this by-law may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be two hundred dollars (\$200). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

The Board of Health may enforce this Regulation or enjoin violations thereof through any lawful process, and the election of one remedy by the Board of Health shall not preclude enforcement through any other lawful means.

Hearing

Any food establishment that has received an order or notice issued pursuant to this regulation may request a hearing before the Board of Health. Such request shall be in writing and shall be submitted to the office of the Board of Health within ten days after receipt of the order or notice.

Validity


The invalidity of any section, clause, sentence, or provision of this regulation shall not affect the validity of any other part of this regulation which can be given effect without such invalid part or parts.

If this regulation conflicts with any other bylaw or regulation then this regulation shall control.

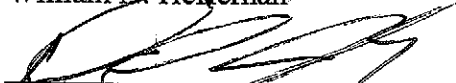
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Adopted by the Saugus Board of Health on October 5, 2015.



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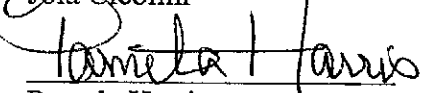
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