

## **RESOLUTION NO. 14-10**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF RUNNING SPRINGS WATER DISTRICT ADOPTING FATS, OIL, AND GREASE CONTROL PROGRAM APPLICABLE TO FOOD SERVICE ESTABLISHMENTS**

WHEREAS, the California State Water Resources Control Board (SWRCB) adopted statewide Order No. 2006-0003-DWQ on May 2, 2006, which prescribes General Waste Discharge Requirements (WDR) prohibiting sanitary sewer overflows (“SSOs”) by sewer collection agencies; and

WHEREAS, in Order No. 2006-0003-DWQ, the SWRCB found that one of the leading causes of SSOs is “grease blockages” ; and

WHEREAS, SSOs often caused by discharge of wastewater containing high levels of fats, oils and grease (“FOG”), suspended solids, pathogenic organisms, and other pollutants, may cause temporary exceedances of applicable water quality objectives, pose a threat to the public health, adversely affect aquatic life, and impair the public recreational use and aesthetic enjoyments of surface waters within the District’s service area; and

WHEREAS, Order No. 2006-0003-DWQ requires the District to monitor and control SSOs and to develop a FOG control program by May 3, 2010; and

WHEREAS, in light of the overwhelming evidence that FOG is a primary cause of SSOs, the District desires to implement a FOG Control Program to prevent SSOs; and

WHEREAS, Section 1014 of the 2001 California Plumbing Code, applicable to all occupancies in the State pursuant to the California Building Standards Law, requires the installation of grease traps or interceptors when in the opinion of the Building Official waste pretreatment is required; and

WHEREAS, the foregoing findings indicate that a FOG Control Program is required for Food Service Establishments within the District’s jurisdiction to comply with waste discharge regulations and prevent the harmful effects of SSOs; and

NOW, THEREFORE, be it resolved by the Board of Directors of Running Springs Water District as follows:

# **ARTICLE 1 - PURPOSE AND POLICY**

The purpose of this Resolution is:

- To allow the maximum beneficial public use of the Running Springs Water District (RSWD)'s sewer services and facilities while preventing blockages of the sewer lines resulting from discharges of fats, oils and greases (FOG) to the sewer facilities and to specify appropriate FOG discharge requirements for Food Service Establishments (FSEs).
- To comply with federal, state, and local policies regarding sanitary sewer overflows (SSOs) and to allow RSWD to meet applicable standards and provisions for the regulations of wastewater or waste containing FOG discharges to the sewer facilities.

## ARTICLE 2 - DEFINITIONS

Terms not defined herein shall be defined as set forth in the latest adopted applicable editions of the California Codes applicable to building construction.

Words used in this Resolution in the singular or plural are interchangeable and shall carry the same weight without cause. Uses of masculine or feminine articles are interchangeable and shall carry the same weight without cause. Shall is mandatory; may is permissive or discretionary.

Subject to the foregoing provisions, the following definitions shall apply in this Resolution:

- *Best management practices (BMPs)* means schedules of activities, a prohibition of practices, maintenance procedures and other management practices to prevent or reduce the introduction of FOG to the sewer facilities.
- *Change in operation* means any change in the ownership, food types, or operational procedures that have the potential to increase the amount of FOG generated and / or discharged by FSEs in an amount that alone or collectively causes or creates a potential for SSOs to occur.
- *General Manager* means the General Manager of the Running Springs Water District or his / her designee.
- *Discharger* means any person or establishment who discharges or causes a discharge of wastewater directly or indirectly to a public sewer.
- *District* means Running Springs Water District.
- *Effluent* means any liquid outflow from the FSE that is discharged to the sewer.
- *Enforcing attorney* means the District's attorney acting as counsel to the District or his / her designee.
- *Fats, oils, and grease ("FOG")* means any substance such as a vegetable or animal product that is used in, or is a by-product of the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.
- *FOG control program* means the FOG control program required by and developed pursuant to California State Order No. 2006-0003-DWQ.
- *FOG control program manager* means the General Manager and persons designated by and under his / her instruction and supervision, which are assigned to administer the FOG control program. A consultant retained under contract by the District may be designated as the FOG control program manager.

- *Food service establishment (FSE)* means facilities defined in California Health And Safety Code Section 113785 and any entity, operating in a permanently or semi-permanently (camp) constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a type I or type II hood, as defined in CURFFL Section 113785, or any other facility that may contribute FOG to RSWD's sewer system.
- *Food grinder* means any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation by-products for the purpose of disposing it in the sewer system.
- *Grease control device* means any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. A grease control device may also include any other proven method to reduce FOG subject to the approval of the District.
- *Grease cleaning fee* is a fee to cover the costs of increased maintenance of the sewer system for inspection and cleaning of FOG and other viscous or solidifying agents that a properly employed grease control device would otherwise prevent from entering the sewer system.
- *Grease interceptor* means a multi-compartment device that is constructed in different sizes and is generally required to be located underground between a FSE and the connection to the sewer system. These devices must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner on regular intervals to be effective.
- *Grease trap* means a grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible or impracticable.
- *Hot spots* means areas in sewer lines that have experienced sanitary sewer overflows that must be cleaned or maintained frequently to avoid blockages of sewer system, or otherwise require maintenance that would not be necessary.
- *Inflow* means water entering a sewer system through a direct stormwater runoff connection to the sanitary sewer, which may cause an almost immediate increase in wastewater flows.
- *Infiltration* means water entering a sewer system, including sewer service connections, from the ground through such means as defective pipes, pipe joints, connections, or manhole walls.

- *Interceptor* means a grease interceptor.
- *Interference* means any discharge which, alone or in conjunction with discharges from other sources, inhibits or disrupts the District's sewer system or is a cause of violation of federal or state environmental laws.
- *New construction* means any structures planned or under construction for which sewer connection permits have not been issued.
- *Public sewer* means a sewer owned and operated by the District, or other local public agency, which is tributary to the District's sewer facilities.
- *Person* means any individual, partnership, firm, association, corporation or public agency, including the state and the United States of America.
- *Remodeling* means a physical change or operational change causing generation of the amount of FOG that exceeds the current amount of FOG discharged to the sewer system by the FSE in an amount that alone or collectively causes or creates a potential for SSOs to occur; or requires either a discretionary land use approval, building permit, or plumbing permit, and involves any one or combination of the following:
  - (1) Under slab plumbing in the food processing area;
  - (2) An increase in the net public seating area;
  - (3) An increase in the size of the kitchen area; or
  - (4) Any change in the size or type of food preparation equipment.
- *Sewer facilities or system* means any and all facilities used for collecting, conveying, pumping, and disposing of wastewater.
- *Sewer lateral* means a building sewer as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system.
- *Sanitary sewer overflow (SSO)* means a sewer spill, loss or discharge of sewage from a sanitary sewer system.
- *Upstream Dischargers / Contributors* means any contributor that lies outside of RSWD's boundaries and includes CSA 79 (Green Valley Lake) and Arrowbear Park County Water District, as well as any future contributor that may request connection which lies outside of the District boundaries.
- *Waste* means sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human and animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.

- *Wastewater* means the liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer.

## ARTICLE 3 - PROHIBITIONS

The following prohibitions shall apply to all FSEs:

- (1) The discharge into the sewer system of FOG that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral except as provided herein.
- (2) The installation of food grinders in the plumbing system of new constructions of FSEs. All existing food grinders shall be removed from FSEs within one hundred eighty (180) days of the effective date of this Resolution.
- (3) The introduction of any additives into a FSEs wastewater system for the purpose of emulsifying FOG, unless a specific written authorization from the FOG control program manager is obtained.
- (4) The disposal of cooking oil into drainage pipes. All waste cooking oils shall be collected, stored and labeled properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
- (5) The discharges of wastewater from dishwashers to any grease trap or grease interceptor.
- (6) The discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors.
- (7) The use of biological additives for grease remediation or as a supplement to interceptor maintenance, without prior authorization from the FOG control program manager.
- (8) The discharge of waste from toilets, urinals, washbasins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service.
- (9) The discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system. Grease removed from grease interceptors shall be waste hauled periodically as part of the operation and maintenance requirements for grease interceptors.
- (10) Dishwashers and food waste disposal units shall not be connected to or discharged into any grease trap.
- (11) Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the design hydraulic depth of the grease interceptor (25% rule).

## ARTICLE 4 - BEST MANAGEMENT PRACTICES REQUIRED

All FSEs shall implement best management practices (BMPs) in their operation to minimize the discharge of FOG to the sewer system. All FSEs shall be required, at a minimum to implement and comply with the following Kitchen BMPs, whenever applicable:

- (1) Drain screens shall be installed on all drainage pipes in food preparation areas.
- (2) All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure that they do not leak. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
- (3) All garbage and food waste shall be disposed of directly into trash bins or containers, and not in sinks. Double-bagging food waste that has the potential to leak in trash bins is highly recommended.

(4) Employee Training:

Employees of the FSEs shall be trained within 2 weeks of hire or from notice to provide training as issued by the FOG control program manager, and twice each calendar year thereafter in the following areas:

- a. How to “dry wipe/scrape” pots, pans, dishware and work areas before washing to remove FOG.
  - b. How to properly dispose of garbage, food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
  - c. The location and use of absorption products to clean under fryer baskets and other locations where FOG may be spilled or accumulated.
  - d. How to properly dispose of FOG from cooking equipment into a FOG receptacle such as barrel or drum without spilling.
- (5) Training shall be documented and employee signatures retained indicating each employee’s attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by the FOG control program manager or his/her designees.
  - (6) Exhaust filters shall be maintained in good operating condition utilizing frequent cleaning practices. The sewage generated from cleaning the exhaust filter shall be disposed properly.



- (7) Kitchen BMP and “NO GREASE” signs, posters or similar information in appropriate language(s) shall be prominently displayed in the food preparation and dishwashing areas at all times.
- (8) Absorbent materials (e.g., kitty litter or other approved materials) shall be placed under the fryers or other areas where FOG typically or frequently drips or spills.
- (9) Covered conveyance devices shall be used in order to transport FOG without spilling.
- (10) FOG containers shall be emptied before they are full to avoid accidental or incidental spills, OR shall be emptied within 90-days of first deposit, AND containers shall be emptied in accordance with San Bernardino County Fire Ordinances.

“Spill Kits” (e.g., absorbent materials, kitty litter) shall be created and shall be well marked and readily accessible in the event a spill does occur.

## **ARTICLE 5 - FOG PRETREATMENT REQUIRED**

Waste, which contains FOG, shall be discharged into the sewer system only under the conditions of this Resolution. The following facilities shall discharge all waste from sinks, dishwashers, drains, and any other fixtures through which grease may be discharged, into an adequately sized, properly maintained and functioning grease interceptor before the discharge enters the sewer system, as well as providing a grease interceptor effluent monitoring port:

### **NEW CONSTRUCTION OF FSES**

A newly constructed FSE shall install grease interceptors prior to commencing the discharge of wastewater to the sewer system.

Existing FSEs undergoing remodeling or a change in operations shall be required to install a grease interceptor prior to commencing the discharge of wastewater to the sewer system.

### **EXISTING FSES**

Existing FSEs are not required to install interceptor unless the FOG control program manager makes a determination that the existing FSE(s) currently are or have the reasonable potential to adversely impact the sewer system by causing or contributing to:

- (1) FOG hot spots;
- (2) Interference;
- (3) SSOs; or
- (4) Said FSE is not implementing or complying with BMP's as listed in this Resolution.

Said FSE (s) shall install grease interceptors within one hundred eighty (180) days after receipt of official notice to install said interceptor unless said FSE obtains a conditional waiver as discussed below.

### **CONDITIONAL WAIVER OF INTERCEPTOR REQUIREMENT**

The FOG control program manager may provide a written waiver to the requirement to install a grease interceptor, listing the conditions upon which said waiver is granted, upon a finding of one or more of the following:

- (1) The FSE can substantively demonstrate that it employs an alternative pretreatment technology that is equivalent or better than a grease interceptor in controlling its FOG discharge.

- (2) The FSE provides evidence through downstream visual monitoring of the sewer system for at least three (3) months, at its own expense, that no visible accumulation of FOG in its lateral and/or tributary downstream sewer lines is occurring.
- (3) There is no potential for FOG from the FSEs to cause or contribute to SSOs.
- (4) The FSE discharges of FOG are negligible and do not cause a significant impact to the sewer system.
- (5) The FSE pays a grease cleaning fee in lieu of installation of a grease interceptor. This cleaning fee can be paid in lieu of installation of a grease interceptor when:
  - a. Installation of an interceptor can not physically be accomplished,
  - b. There is not adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer and
  - c. No alternative pretreatment can be installed. Further, the FSE must agree to either:
    - i. Hire a contractor to clean and inspect the sewer main as established in this Ordinance; or
    - ii. Pay a yearly fee (grease cleaning fee) to the District for the increased cost to clean the sewer mains. The grease cleaning fee shall be established by resolution of the District, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device.
- (6) The FSE may use or may be required to install grease traps, in lieu of installation of a grease interceptor when:
  - a. Installation of an interceptor can not physically be accomplished;
  - b. There is not adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer; and
  - c. No alternative pretreatment can be installed. Sizing and installation of grease traps shall conform to the current edition of the California Plumbing Code. Grease traps shall be maintained in efficient operating conditions by periodic removal of their full content, including sewage, FOG, floating materials, sludge and solids. The maintenance frequency for all FSEs with grease traps is specified in this Ordinance.

While Waivers are allowed for applicable situation, space and plumbing segregation are still required for future interceptor installation.

## REVOCACTION OF WAIVER

The FOG control program manager may revoke a waiver upon a determination of one or more of the following:

- (1) Quantity of FOG discharge as measured or as indicated by the size of FSEs based on seating capacity, number of meals served, menu, water usage, amount of on-site consumption of prepared food and other conditions have changed since the granting of said waiver such that the FSE is contributing to FOG discharges.
- (2) Identifications of the FSE as a significant contributor of FOG into the Sewer System, which is based on inspection or sampling of the FOG discharges from the FSE's sewer lateral to the sewer system.
- (3) Adequacy of implementation and compliance with Kitchen Best Management Practices (BMPs).
- (4) Change in sewer size, grade, and condition based on visual information.
- (5) Changes in operations that significantly affect FOG discharge.
- (6) Failure to comply with any of the conditions set forth in the waiver.
- (7) Any other condition deemed reasonably related to the generation of FOG discharges by the FOG control program manager.

## **ARTICLE 6 - GREASE INTERCEPTOR REQUIREMENTS**

All interceptors shall be of an approved type and adequately sized and shall be installed, operated, and maintained as necessary to maintain compliance with the objectives of this Resolution.

Fixtures, equipment, and drain lines located in the food preparation and cleanup areas of FSEs that are sources of FOG discharges shall be connected to the grease interceptor.

Grease interceptors shall be constructed in accordance with the design approved by the FOG control program manager and in accordance with applicable UPC design requirements and shall have a minimum of two (2) compartments with fittings designed for grease retention.

The grease interceptor shall be installed at a location where it shall be at all times easily accessible for inspection, cleaning, and removal of accumulated grease.

Access manholes, with a minimum diameter of twenty-four (24) inches, shall be provided over each grease interceptor chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.

## **ARTICLE 7 - GREASE INTERCEPTOR MAINTENANCE REQUIREMENTS**

All existing and newly constructed grease interceptors shall be operated in accordance with the manufacturer's specifications.

Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor.

The maintenance frequency for all FSEs with a grease interceptor shall be determined in one of the following methods:

- (1) Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor. Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed 25% of the design hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available volume is maintained to effectively intercept and retain FOG.
- (2) All FSEs with a grease interceptor shall fully pump out contents of the grease interceptor at a minimum quarterly frequency (at least once every 3 months) unless the frequency is changed based on procedures described in (3) and (4) below.
- (3) The FOG control program manager or his/her designee may mandate a more frequent cleaning schedule if it finds that the FSE is not maintaining a grease interceptor in a manner in compliance with (1) above. The maintenance frequency may be adjusted when sufficient data has been obtained to establish an average frequency that will ensure compliance with 1. above. Based on the actual generation of FOG from a FSE, the maintenance frequency may increase or decrease; however, the minimum pumping frequency shall be 6 months.
- (4) A FSE may submit a request at any time to the FOG control program manager requesting a change in the maintenance frequency of its grease interceptor. The FSE has the burden of responsibility to demonstrate that the requested change in frequency reflects actual operation conditions based in the average FOG accumulation over time and meets the requirements described in (1) above and that it is in full compliance with the FOG Control Program. Upon determination by the FOG control program manager that the requested revision is justified, the FSE shall be notified in writing of the revised maintenance frequency.
- (5) If the grease interceptor, at any time contains FOG and solids accumulation that does not meet the requirements described in 1. above, the FSE shall be required to have the grease interceptor serviced as soon as possible, but not more than 24 hours later, such that all FOG, sludge, and other materials are completely removed from the grease interceptor.

No FOG that has accumulated in a grease interceptor shall be allowed to pass into any sewer lateral, sewer system, storm drain, or public right-of-way during maintenance activities.

FSEs with grease interceptors are required to maintain data and information necessary to establish maintenance records of grease interceptors. Said documentation shall be provided to the FOG control program manager as requested.

## **ARTICLE 8 - GREASE TRAP MAINTENANCE REQUIREMENTS**

Grease traps shall be operated in accordance with the manufacturer's specifications.

Grease traps shall be maintained in efficient operation conditions by removing accumulated grease on an as needed basis, or the frequency specified by the manufacturer, but no less than on a weekly basis.

Grease traps shall be maintained free of all food residues and any FOG waste removed during the cleaning and scraping process.

Grease traps shall be inspected periodically, but in no event less than once a month, to check for leaking seams and pipes, and for effective operation of the baffles and flow-regulating device. Grease traps and their baffles shall be maintained free of all caked-on FOG and waste. Removable baffles shall be removed and cleaned during the maintenance process.

Dishwashers and food waste disposal units shall not be connected to or discharged into any grease trap.



## **ARTICLE 9 - MULTIPLE FSES LOCATED ON THE SAME PROPERTY**

Property owners with more than one FSE located on said property shall be responsible for the installation and maintenance of a grease control device(s).

## **ARTICLE 10 - MONITORING AND REPORTING FOR COMPLIANCE**

In an effort to minimize the discharge of FOG to the sewer system the District may require a FSE to construct and maintain in proper operating condition at a FSE's sole expense, flow monitoring, constituent monitoring and/or sampling facilities.

The location of the monitoring or metering facilities shall be subject to approval by the FOG control program manager.

During regular business hours, FSEs shall provide immediate and safe access to the FOG control program manager or his/her designees to the FSE's monitoring and metering facilities.

No FSE shall increase the use of water or in any other manner attempt to dilute a discharge as a way of achieving compliance with this FOG Control Program.

The FOG control program manager may require visual monitoring at the sole expense of the FSE to observe the actual conditions of the FSE's sewer lateral and sewer lines downstream.

The FOG control program manager may require periodic reporting of the status of implementation of the Kitchen BMP, in accordance with the FOG Control Program.

The FOG control program manager may require periodic reporting of the status of maintenance of the grease interceptors or/and grease traps, in accordance with the FOG Control Program.

The FOG control program manager may require reports for self-monitoring of sewage constituents and FOG characteristics of the FSE needed for determining compliance with any conditions or requirements as specified in the FOG Control Program. The FOG control program manager shall in a manner and form approve monitoring reports of the analyses of sewage constituents and FOG characteristics.

Failure by the FSE to perform any required monitoring or to submit reports required by the FOG control program manager constitutes a violation of this Ordinance. The FSE shall be responsible for any and all expenses of the District in undertaking such monitoring analyses and preparation of reports required of the FSE.

# ARTICLE 11 - RECORD KEEPING REQUIREMENTS

FSEs without grease traps or interceptors shall maintain records of personnel training, spills, maintenance, spill kits on-hand, and grease disposal for a minimum of two (2) years and shall be presented to the FOG Manager upon request.

The following records shall be maintained for no less than two (2) years by FSEs with grease traps or interceptors, and the FSE shall make them available to FOG control program manager or his/her designees:

- (1) A record or logbook of grease interceptor or grease trap cleaning and maintenance practices and activities. The record or logbook shall include:
  - Dates inspected;
  - Name of inspector;
  - Inspector's observations concerning the effectiveness of the grease interceptor or grease trap in controlling FOG;
  - Dates cleaned; and
  - Dates and nature of maintenance.
- (2) A record or logbook of Kitchen BMPs being implemented including employee training as described more fully above.
- (3) Any other information deemed appropriate by the FOG control program manager to ensure compliance with the FOG Control Program.

For FSEs with Grease Interceptors:

- (4) Copies of records and manifests of waste hauling grease interceptor contents, which will include:
  - Name of hauling company;
  - Name of signature of operator performing the pump-out;
  - Documentation of full pump-out with volume of water and FOG removed (e.g., 1,500 gallons);
  - Documentation of the level of floating FOG and settled solids (to determine if volume exceeds 25% capacity of the grease interceptor are required; and
  - Identification of the facility where the hauler is planning to dispose of the waste.

- (5) Records of sampling data and/or sludge vs. slug height monitoring for FOG and solids accumulation in the grease interceptors.
- (6) Records of any spills and/or cleaning of the lateral or sewer system.

## **ARTICLE 12 - DRAWING SUBMITTAL REQUIREMENTS**

Upon request by the FOG control program manager or his/her designee:

- (1) A proposed or existing FSE may be required to submit facility site plans, mechanical and plumbing plans, and other details to show the sewer locations and connections for its facility or premises. The submittal shall be in a form and content acceptable to the District for review of an existing or proposed grease interceptor, grease trap, monitoring facilities, metering facilities, and operating procedures. The review of the plans and procedures shall in no way relieve a FSE of the responsibility of modifying the facilities or procedures in the future, as necessary to meet the requirements of this Resolution, the FOG Control Program, or any requirements of other Regulatory Agencies.
- (2) The District may require drawings to be prepared by a California Registered Civil, Mechanical, or Electrical Engineer.

## **ARTICLE 13 - INSPECTION AND SAMPLING CONDITIONS**

The FOG control program manager or his/her designee may inspect or order the inspection and sample the wastewater discharges of any FSE to ascertain whether the FSE is complying with all requirements of this Resolution. The FSE shall allow the District access to the FSE premises, during normal business hours for purposes of inspecting the FSEs grease control devices or interceptor, reviewing the manifests, receipts and invoices relating to the cleaning, maintenance and inspection of the grease control devices or interceptor. Where a FSE has security measures in force, the FSE shall make necessary arrangements so that representatives of the District shall be permitted to enter without delay for the purpose of performing their specific responsibilities/inspections.

The FOG control program manager or his/her designee shall have the right to place or order the placement on the FSEs property such devices as are necessary to conduct sampling or metering operations. The FSE shall make available for inspection and copying by the FOG control program manager or his/her designee all notices, monitoring reports, waste manifests, and records including, but not limited to, those related to wastewater generation, and wastewater disposal without restriction but subject to the confidentiality provision set forth in this Resolution. All such records shall be kept by the FSE a minimum of two (2) years.

## **ARTICLE 14 - RIGHT OF ENTRY**

Persons or occupants of premises where wastewater is created or discharged shall allow the FOG control program manager or his/her designee, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the discharger's facility is open, operating, or any other reasonable time. No person shall interfere with, delay, resist, or refuse entrance to the representatives of the District attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the District's sewer system. If entry is refused, the FOG control manager or his/her designee shall have recourse to the remedies provided by law to secure entry.

## **ARTICLE 15 - NOTIFICATION REQUIREMENTS**

In the event a FSE is unable to comply with any Resolution condition due to a breakdown of equipment, accidents, or human error or the FSE has reasonable opportunity to know that his/her/its discharge will exceed the discharge provisions of the this Ordinance, the discharger shall immediately notify the FOG program control manager. If the material discharged to the sewer has the potential to cause or result in sewer blockages or SSOs, the discharger shall immediately notify the local health department and the District.

Confirmation of this notification shall be made in writing to the FOG control program manager no later than five (5) working days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.

Such notification shall not relieve the FSE of any expense, loss, damage or other liability which may be incurred as a result of damage or loss to the District or any other damage or loss to person or property; nor shall such notification relieve the FSE of any fees or other liability which may be imposed by this Resolution or other applicable law.

The FSE shall notify the FOG control program manager in writing at least 60 days prior to any facility expansion and/or remodeling or process modifications that may result in new or substantially increased FOG discharges or a change in the nature of the discharge. The FSE shall submit any information requested by the FOG control program manager for evaluation of the effect of such expansion and/or remodeling or process modification on the FSE's FOG discharge to the sewer system.

The written notification shall state the FSE name, name the title of the FSE's contact person or person most knowledgeable concerning the facility expansion and/or remodeling or process modifications, address and telephone number of the FSE, date of the proposed facility expansion and/or remodeling or process modifications, and the reasons for the same.



## **ARTICLE 16 - NONCOMPLIANCE FEE**

The District may impose a Noncompliance Fee on the FSE to recover the District's administrative and field costs in dealing with the noncompliance.

## **ARTICLE 17 - EMERGENCY SUSPENSION ORDER**

The District may suspend water and sewer service when the General Manager determines that such suspension is necessary in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, or to the environment, or may cause SSOs, sewer blockages, interference to the District's sewer facilities, or may cause the District to violate any state or federal law or regulation. Any discharger notified of and subject to an emergency suspension order shall immediately cease the discharge of all wastewater containing FOG to the sewer system.

## **ARTICLE 18 - NUISANCE**

Any condition that the FOG control program manager determines may result in the discharge of waste, which causes or contributes to any sewer blockage, SSOs, obstruction, interference, damage, or any other impairment to the District's sewer facilities or to the operation of those facilities shall constitute a threat to the public health, safety and welfare, and is declared and deemed a public nuisance and may be summarily abated as such.

## **ARTICLE 19 - VIOLATIONS OF OTHER LAWS**

Any person acting in violation of this Resolution also may be acting in violation of the Federal Clean Water Act or the State Porter-Cologne Act and other laws and also may be subject to sanctions including civil liability. Accordingly, the enforcing attorney is authorized to file a citizen suit pursuant to Federal Clean Water Act Section 505(a), seeking penalties, damages, and orders compelling compliance, and other appropriate relief. The enforcing attorney may notify EPA Region IX, the California Regional Water Quality Control Board, or any other appropriate state or local agency, of any alleged violation of this Resolution.

## **ARTICLE 20 - OTHER CIVIL REMEDIES**

The enforcing attorney may file an action for civil damages in a court of competent jurisdiction seeking recovery of:


- (1) All costs incurred in enforcement of the Resolution, including but not limited to costs relating to investigation, sampling, monitoring, inspection, administrative expenses, all other expenses as authorized by law, and consequential damages;
- (2) All costs incurred in mitigating harm to the environment or reducing the threat to human health; and
- (3) Damages for irreparable harm to the environment.

The remedies available to the District pursuant to the provisions of this article shall not limit the right of the District to seek any other remedy that may be available by law.

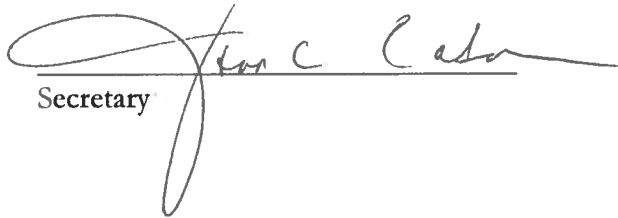
## ARTICLE 21 – EFFECTIVE DATE

This Resolution shall take effect May 3, 2010.

ADOPTED, SIGNED, AND APPROVED by the Board of Directors of Running Springs Water District this 21st day of April, 2010.

  
Vice- President

ATTEST:

  
Secretary

## **RESOLUTION NO. 15-10**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF RUNNING SPRINGS WATER DISTRICT ESTABLISHING FATS, OIL, AND GREASE CONTROL PROGRAM FEES**

WHEREAS, the California State Water Resources Control Board (SWRCB) adopted statewide Order No. 2006-0003-DWQ on May 2, 2006, which prescribes General Waste Discharge Requirements (WDR) prohibiting sanitary sewer overflows (“SSOs”) by sewer collection agencies; and

WHEREAS, in Order No. 2006-0003-DWQ, the SWRCB found that one of the leading causes of SSOs is “grease blockages;” and

WHEREAS, SSOs often caused by discharge of wastewater containing high levels of fats, oils and grease (“FOG”), suspended solids, pathogenic organisms, and other pollutants, may cause temporary exceedances of applicable water quality objectives, pose a threat to the public health, adversely affect aquatic life, and impair the public recreational use and aesthetic enjoyments of surface waters within the District’s service area; and

WHEREAS, Order No. 2006-0003-DWQ requires the District to monitor and control SSOs and to develop a FOG control program by May 3, 2010, and

WHEREAS, in light of the overwhelming evidence that FOG is a primary cause of SSOs, the District desires to implement a FOG Control Program to prevent SSOs, and

WHEREAS, the foregoing findings indicate that a FOG Control Program is required for Food Service Establishments within the District’s jurisdiction to comply with waste discharge regulations and prevent the harmful effects of SSOs, and

WHEREAS, on April 21, 2010 The Board of Directs adopted Resolution No. 14-10 adopting FOG Control Regulations applicable to Food Service Establishments; and

WHEREAS, Resolution No. 14-10 allows conditional waiver of interceptor requirement for Food Service Establishments subject to the regulations, with which upon the written waiver approved by the FOG control program manager, the Food Service Establishments pay a Grease Cleaning Fee to the District in the amount set by resolution of the Board, in lieu of installation of a grease interceptor, for the increased cost to clean the sewer main, and

WHEREAS, Food Service Establishments who are found to be in noncompliance with the term and conditions of their FOG Wastewater Discharge Permit, Resolution No. 14-10 or other relevant regulations are required to pay a general noncompliance fee, which includes the District's costs of additional monitoring activities and administrative processing incurred resulting from the noncompliance.


NOW, THEREFORE, the Board of Directors of Running Springs Water District DOES HEREBY RESOLVE, DETERMINE AND ORDER:

Section 1: Grease Cleaning Fee. The fee for each Food Service Establishment, with written conditional waiver of interceptor requirement approved by the FOG control program manager shall be based on a case by case basis in accordance with current District rates.


Section 2: General Noncompliance Fee. The general noncompliance fee shall be based on actual costs incurred by the District to rectify the problem based on the District's current rate structure in affect at the time the work was completed

Section 3. Effective Date. This Resolution shall take effect on May 3, 2010.

ADOPTED, SIGNED, AND APPROVED THIS 21st DAY OF APRIL, 2010.

  
Vice- President

ATTEST:

  
Secretary