



FOG OUTREACH PLAN TOWN OF PROSPER

OCTOBER 2023

TABLE OF CONTENTS

| | | |
|-----|--|-----|
| 1. | APPLICABILITY AND PROHIBITIONS | 1-1 |
| 2. | DEFINITIONS..... | 2-1 |
| 3. | INSTALLATION AND MAINTENANCE REQUIREMENTS..... | 3-1 |
| 3.1 | Installations | 3-1 |
| 3.2 | Cleaning and Maintenance..... | 3-1 |
| 3.3 | Cleaning Schedules | 3-2 |
| 3.4 | Manifest Requirements..... | 3-3 |
| 3.5 | Alternative Treatment | 3-4 |
| 4. | SCHEDULE OF PENALTIES..... | 4-1 |

1. APPLICABILITY AND PROHIBITIONS

The measures included in this FOG (Fats, Oils, and Grease) Outreach Plan ("Plan") are intended to provide non-domestic users of the Publicly Owned Treatment Works (POTW), standards, education and guidelines for grease traps or grease interceptors to protect the public wastewater system for the Town of Prosper.

- This Plan shall apply to all non-domestic users of the Publicly Owned Treatment Works (POTW), as defined in Section 2 of the Plan.
- Grease traps or grease interceptors shall not be required for residential users.
- Facilities generating fats, oils, or greases as a result of food manufacturing, processing, preparation, or food service shall install, use, and maintain appropriate grease traps or grease interceptors as required in Section 3 of the Plan. These facilities include but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels and motels, prisons, nursing homes, and any other facility preparing, serving, or otherwise making any foodstuff available for consumption.
- No user may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, non-biodegradable cutting oil, mineral oil, or any fats, oils, or greases of animal or vegetable origin into the POTW system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the treatment works into the environment.

2. DEFINITIONS

1. ACT means Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
2. BOD means the value of the 5-day test for Biochemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater." The amount must not be greater than 275 mg/L.
3. COD means the value of the test for Chemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater."
4. EPA means the United States Environmental Protection Agency.
5. FATS, OILS, AND GREASES (FOG) means organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases."
6. GENERATOR means any person who owns or operates a grease trap/grease interceptor, or whose act or process produces a grease trap waste.
7. GREASE TRAP or INTERCEPTOR means a device designed to use differences in specific gravities to separate and retain light density liquids, waterborne fats, oils, and greases prior to the wastewater entering the sanitary sewer collection system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection system. Grease traps and interceptors are also referred to herein as "grease traps/interceptors."
8. GREASE TRAP WASTE means material collected in and from a grease trap/interceptor in the sanitary sewer service line of a commercial, institutional, or industrial food service or processing establishment, including the solids resulting from de-watering processes.
9. INDIRECT DISCHARGE or DISCHARGE means the introduction of pollutants into a POTW from any non-domestic source.

10. INTERFERENCE means a discharge which alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of the town's TPDES permit.
11. pH means the measure of the relative acidity or alkalinity of water and is defined as the negative logarithm (base 10) of the hydrogen ion concentration.
12. POTW or PUBLICLY OWNED TREATMENT WORKS means a treatment works which is owned by a state or municipality as defined by section 502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances that convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. For purposes of this plan, the terms "sanitary sewer system" and "POTW" may be used interchangeably.
13. REGULATORY AUTHORITY means the person responsible for overseeing and enforcing the standards of this plan and ensures consistent compliance.
14. TCEQ means the Texas Commission on Environmental Quality, and its predecessor and successor agencies.
15. TRANSPORTER means a person who is registered with and authorized by the TCEQ to transport sewage sludge, water treatment sludge, domestic septage, chemical toilet waste, grit trap waste, or grease trap waste in accordance with 30 TEXAS ADMINISTRATIVE CODE §312.142.
16. TSS means the value of the test for Total Suspended Solids, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater." The amount must not be greater than 300 mg/L.
17. USER means any person, including those located outside the jurisdictional limits of the town, who contributes, causes or permits the contribution or discharge of wastewater into the POTW, including persons who contribute such wastewater from mobile sources.

3. INSTALLATION AND MAINTENANCE REQUIREMENTS

3.1 INSTALLATIONS

- **New Facilities.** Food processing or food service facilities which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility, where such facility did not previously exist, shall be required to design, install, operate and maintain a grease trap/interceptor in accordance with SECTION 1003 Interceptors and Separators in the 2021 IPC or other applicable ordinances. Grease traps/interceptors shall be installed and inspected prior to issuance of a Certificate of Occupancy.
- **Existing Facilities.** Existing grease traps/interceptors must be operated and maintained in accordance with the manufacturer's recommendations and in accordance with this plan, unless specified in writing and approved by the POTW.
- Grease traps/interceptors must be installed on the exterior of a building and shall be located in ground.
- The necessity and size of the grease trap/interceptor shall be a minimum of 1,000 gallons or as determined by the Health Code Official.
- Grease traps/interceptors shall be readily and easily accessible for cleaning and inspection and shall not be located in vehicular traffic areas or in a parking spot or stall without written permission from the regulatory authority. Grease traps/interceptors shall remain unlocked.
- A sample well shall be installed on the outlet side of the grease trap/interceptor, outside of the building, and shall be readily and easily accessible for inspection.
- All grease trap/interceptor waste shall be properly disposed of at a facility in accordance with federal, state, or local regulation.

3.2 CLEANING AND MAINTENANCE

- Grease traps/interceptors shall be maintained in an efficient operating condition at all times.
- Each grease trap pumped shall be fully evacuated unless the trap volume is greater than the tank capacity on the vacuum truck in which case the transporter shall arrange for additional transportation capacity so that the trap is fully evacuated within a 24-hour period, in accordance with 30 TEXAS ADMINISTRATIVE CODE §312.143.

3.3 CLEANING SCHEDULES

- Grease traps/interceptors shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease trap/interceptor; to ensure the discharge is in compliance with local discharge limits; and to ensure no visible grease is observed in discharge.
- The POTW has the ability to inspect and evaluate grease traps and grease interceptors at any time.
- Grease traps/interceptors subject to these standards shall be completely evacuated a minimum of every ninety (90) days, or more frequently when:
 - twenty-five (25) percent or more of the wetted height of the grease trap/interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases; or
 - the discharge exceeds BOD, COD, TSS, FOG, pH, or other pollutant levels established by the POTW; or
 - if there is a history of non-compliance.
- Any person who owns or operates a grease trap/interceptor may submit to the POTW a request in writing for an exception to the ninety (90) day pumping frequency of their grease trap/interceptor. The POTW may grant an extension for required cleaning frequency on a case-by-case basis when:
 - the grease trap/interceptor owner/operator has demonstrated the specific trap/interceptor will produce an effluent, based on defensible analytical results, in consistent compliance with established local discharge limits such as BOD, TSS, FOG, or other parameters as determined by the POTW, or
 - less than twenty-five (25) percent of the wetted height of the grease trap/interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases.
- In any event, a grease trap/interceptor shall be fully evacuated, cleaned, and inspected at least once every 180 days.

3.4 MANIFEST REQUIREMENTS

- Each pump-out of a grease trap/interceptor must be accompanied by a manifest to be used for record keeping purposes.
- Persons who generate, collect and transport grease waste shall maintain a record of each individual collection and deposit. Such records shall be in the form of a manifest. The manifest shall include:
 - name, address, telephone, and commission registration number of transporter;
 - name, signature, address, and phone number of the person who generated the waste and the date collected;
 - type and amount(s) of waste collected or transported;
 - name and signature(s) of responsible person(s) collecting, transporting, and depositing the waste;
 - date and place where the waste was deposited;
 - identification (permit or site registration number, location, and operator) of the facility where the waste was deposited;
 - name and signature of facility on-site representative acknowledging receipt of the waste and the amount of waste received;
 - the volume of the grease waste received; and
 - a consecutive numerical tracking number to assist transporters, waste generators, and regulating authorities in tracking the volume of grease transported.
- Manifests shall be divided into five parts and records shall be maintained as follows.
 - One part of the manifest shall have the generator and transporter information completed and be given to the generator at the time of waste pickup.
 - The remaining four parts of the manifest shall have all required information completely filled out and signed by the appropriate party before distribution of the manifest.
 - One part of the manifest shall go to the receiving facility.

- One part shall go to the transporter, who shall retain a copy of all manifests showing the collection and disposition of waste.
 - One copy of the manifest shall be returned by the transporter to the person who generated the wastes within 15 days after the waste is received at the disposal or processing facility.
 - One part of the manifest shall go to the local authority.
- Copies of manifests returned to the waste generator shall be retained for five years and be readily available for review by the POTW.

3.5 ALTERNATIVE TREATMENT

- A person commits an offense if the person introduces, or causes, permits, or suffers the introduction of any surfactant, solvent or emulsifier into a grease trap. Surfactants, solvents, and emulsifiers are materials which allow the grease to pass from the trap into the collection system, and include but are not limited to enzymes, soap, diesel, kerosene, terpene, and other solvents.
- It is an affirmative defense to an enforcement of Section 3.6.1 that the use of surfactants or soaps is incidental to normal kitchen hygiene operations.
- Bioremediation media may be used with the POTW's approval if the person has proved to the satisfaction of the POTW that laboratory testing which is appropriate for the type of grease trap to be used has verified that:
 - The media is a pure live bacterial product which is not inactivated by the use of domestic or commercial disinfectants and detergents, strong alkalis, acids, and/or water temperatures of 160F (71C).
 - The use of the media does not reduce the buoyancy of the grease layer in the grease trap and does not increase the potential for oil and grease to be discharged to the sanitary sewer.
 - The use of the bioremediation media does not cause foaming in the sanitary sewer.
 - The BOD, COD, and TSS discharged to the sanitary sewer after use of the media does not exceed the BOD, COD, and TSS which would be discharged if the

product were not being used and the grease trap was being properly maintained. pH levels must be between 6 and 9.

- All testing designed to satisfy the criteria set forth in Section 3.6.3 shall be scientifically sound and statistically valid. All tests to determine oil and grease, TSS, BOD, COD, pH, and other pollutant levels shall use appropriate tests which have been approved by the Environmental Protection Agency and the Texas Commission on Environmental Quality and which are defined in Title 40, Code of Federal Regulations, Part 136 or Title 30, TEXAS ADMINISTRATIVE CODE §319.11. Testing shall be open to inspection by the POTW and shall meet the POTW's approval.

4. SCHEDULE OF PENALTIES

- If the POTW determines that a generator is responsible for a blockage of a collection system line the generator shall receive a certified letter for the first violation with five days to comply, \$1,000 for the second violation, and \$1,500 for the third violation within a two-year period. Continuous violations shall result in an increase in penalty by \$500 and may also result in termination of services.
- Any person violating any of the provisions of the Ordinance shall be subject to a certified written warning for the first violation with five days to comply, a \$1,000 civil penalty for the second violation, a \$1,500 civil penalty for the third violation, and a \$2,000 civil penalty for the fourth violation within a two-year period. Consistent violations will result in a \$500 increase in civil penalty and may result in termination of service.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING SECTION 13.11.001, "PLAN ADOPTED," OF ARTICLE 13.11, "FOG OUTREACH PLAN," OF CHAPTER 13, "UTILITIES," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER, TEXAS, BY REPEALING THE EXISTING FOG OUTREACH PLAN AND REPLACING IT WITH A NEW FOG OUTREACH PLAN, ATTACHED AS EXHIBIT A TO THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town of Prosper, Texas (the "Town"), recognizes that the wastewater supply available to its water customers is limited; and

WHEREAS, the Town further recognizes that due to natural limitations, system failures and other acts of God which may occur, the Town cannot guarantee an uninterrupted wastewater supply for all purposes at all times; and

WHEREAS, pursuant to the Texas Water Code and the regulations of the Texas Commission on Environmental Quality (the "Commission"), in 2016 the Town adopted a Fats, Oils and Grease (FOG) Outreach Plan; and

WHEREAS, the Town has determined the need to amend the 2016 FOG Outreach Plan and has determined that doing so will be in the best interests of the public; and

WHEREAS, pursuant to Chapters 51 and 54 of the Texas Local Government Code, the Town is authorized to adopt any such ordinances necessary to preserve and protect its wastewater resources; and

WHEREAS, the Town Council desires to adopt an amended FOG Outreach Plan for the Town of Prosper as official Town policy for non-domestic users of the Town's wastewater treatment works; and

WHEREAS, the Town Council has investigated and determined that it will be advantageous and beneficial to the citizens of Prosper and will protect the public health, safety and welfare to adopt an amended FOG Outreach Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

From and after the effective date of this Ordinance, Exhibit A, "Fog Outreach Plan," referenced and incorporated in Section 13.11.001, "Plan Adopted," of Article 13.11, "FOG Outreach Plan," of Chapter 13, "Utilities," of the Code of Ordinances of the Town of Prosper, Texas, is hereby repealed and replaced with a new FOG Outreach Plan, attached hereto as Exhibit A.

SECTION 3

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of Prosper hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 5

The Town Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Commission in accordance with Title 30, Chapter 288 of the Texas Administrative Code, as amended.

SECTION 6

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Prosper, Texas.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS ON THIS 24TH DAY OF OCTOBER, 2023.

APPROVED:



David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni
Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

T. Welch
Terrence S. Welch, Town Attorney



EXHIBIT A
(FOG Outreach Plan)