

Appendix B

FOG Documents:

1. LGVSD Ordinances No. 135 (FOG Ordinance), No. 136 (Food Grinder Ordinance), and No. 112 (partial).
2. List of FOG “Hot Spots”
3. Preliminary Implementation Schedule for FOG Control Program, July 28, 2006.

ORDINANCE NO. 135

AN ORDINANCE REGULATING THE ACCEPTANCE OF FATS, OILS AND GREASE (FOG) INTO THE SEWERS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

SECTION 1 – INTRODUCTION

The Sanitary Board of the Las Gallinas Valley Sanitary District of Marin County does adopt as follows:

This ordinance shall be known as the “Fats, Oils and Grease (FOG) Ordinance of the Las Gallinas Valley Sanitary District” and may be so cited and pleaded.

This ordinance is adopted pursuant to provisions of Section 6400 *et. seq.* of the Health and Safety Code of the State of California.

SECTION 2 - PURPOSE AND POLICY

- A. Sanitary sewer overflows (SSOs) have recently become a major concern to wastewater agencies throughout the State of California. A frequent cause of SSOs is the blockage of sewer lines due to discharge of fats, oils and grease (FOG) from food preparation and clean-up operations. One of the actions Las Gallinas Valley Sanitary District (District or LGVSD) is taking to prevent SSOs from the sanitary sewers in its service area is to develop and implement a program to reduce the discharge of FOG from restaurants and other food service establishments to levels that will not cause blockage in sewer lines. This program will enable the District to comply with requirements of the California State Water Resources Control Board and the San Francisco Bay Regional Water Quality Control Board.
- B. District Ordinance No. 112, adopted by the governing Board of LGVSD in 1995, regulates the discharge of wastes into the District’s sanitary sewer system (system). Section 3.B.1. of the Ordinance prohibits the discharge of viscous wastes in amounts which will cause obstruction to the flow in the system. Section 4.A.2.j. and 7.D. give the District authority to require sewer users to install pretreatment equipment as necessary to bring their discharges into compliance with the Ordinance. Sections 4.A.2.g., 4.A.2.i., and 7.A. give the District staff authority to perform inspections on the premises of sewer users and to review user records relevant to sewer discharge.
- C. Upon adoption of this Ordinance, all food service establishments (FSE’s) subject to this Ordinance, as further defined in Section 4. of this Ordinance, shall be designated as “Class III Users,” as defined in Section 5.A. of Ordinance No. 112. This designation is based on the discharge of FOG as discussed herein.

SECTION 3 – JURISDICTION

The provisions of this Ordinance shall in force and applicable within the service area which encompasses the jurisdictional boundaries of the Las Gallinas Valley Sanitary District. The District service area is defined in Section 4. of this Ordinance.

SECTION 4 - DEFINITIONS

Fats, oils, and grease (FOG)-Any animal- or vegetable-based fats, oils, and grease generated from food preparation, food service, and kitchen clean up.

Food service establishment (FSE)-Includes but is not limited to any facility preparing and/or serving food for commercial use or sale. This includes restaurants, cafes, lunch counters, cafeterias, hotels, hospitals, convalescent homes, factory or school kitchens, catering kitchens, bakeries, grocery stores with food preparation (excluding stores with only food warming operations), meat cutting and preparation, and other food handling facilities not listed above where fats, oils, and grease may be introduced into the sanitary sewers.

Grease removal device (GRD)-A device used to remove FOG from kitchen wastes discharged to the sanitary sewer, *i.e.*, a grease interceptor, grease trap, or other mechanical device.

Grease interceptor (or interceptor)-A GRD consisting of a partitioned vault, with a minimum volume of 750 gallons, that is typically installed in-ground or underground and outside of the building which it serves.

Grease trap (or trap)-A GRD designed to serve one to four kitchen fixtures. Traps are usually 50 gallons or less in volume and are typically located inside a kitchen, under the sink or in the floor.

LGVSD (or District)-Las Gallinas Valley Sanitary District

LGVSD service area (or service area)-The area within the jurisdictional boundaries of the Las Gallinas Valley Sanitary District. This includes all parts of the City of San Rafael north of the Puerto Suello ridge (Terra Linda and Civic Center) and some closely adjacent unincorporated areas of Marin County.

Major remodel-A remodel which includes significant change to the kitchen and which has a building permit valuation of at least \$100,000, not including the purchase and installation cost of any grease removal device installed during the remodel.

New food service establishment-a) A new building which will contain a food service establishment (FSE); b) The installation of an FSE in an existing building which has not previously contained an FSE requiring a Restaurant Plan Check from Marin County Environmental Health Services.

Sewer line "hot spot"-A location in the sanitary sewer lines where one or more FOG-related sewer overflows have occurred, that requires significantly increased maintenance to prevent FOG-related line blockages, and/or where a significant potential exists for FOG-related line blockages to occur. The designation of a "hot spot" will be solely at the discretion of the District, based on the history and characteristics of the location.

Uniform Plumbing Code (UPC)-“2001 California Plumbing Code” (California Code of Regulations, Title 24, Part 5). This is the UPC currently referenced by the City of San Rafael Municipal Code. If there are future revisions to the UPC that relate to sizing of GRDs, the District reserves the right to use either the present or revised UPC, as appropriate.

Working capacity-The total volume of solids, water, and grease that a grease interceptor or grease trap contains under normal operating conditions.

SECTION 5 - Grease Removal Device Requirements

All new food service establishments (FSEs), all existing FSEs undergoing a major remodel and all existing FSEs upstream of a "sewer line hot spot" (hot spot) shall have at least one grease removal device (GRD), as specified below. Appendix A of this Ordinance is a table summarizing these requirements.

A. New Food Service Establishments

For purposes of this Ordinance, a "new food service establishment" shall be as defined in Section 4. of this Ordinance: "a) A new building which will contain a food service establishment (FSE); b) The installation of an FSE in an existing building which has not previously contained an FSE requiring a Restaurant Plan Check from Marin County Environmental Health Services." A business will not be considered a "new FSE" solely on the basis of a change menu, name, and/or ownership.

All new FSEs shall install an interceptor sized in accordance with Appendix H of the Uniform Plumbing Code (UPC). Interpretation of Appendix H and the variables used in the sizing calculation shall be at the discretion of the District. It is anticipated that there will be a significant revision of Appendix H by the International Association of Plumbing and Mechanical Officials (IAPMO) during 2006. Although these changes will not be in the UPC currently codified by the City of San Rafael (see Section 4. of this Ordinance), the District will accept interceptor sizing based on the new Appendix H.

The interceptor shall drain all fixtures and equipment in the establishment which may receive FOG, including but not limited to utensil sinks, food preparation sinks, hand washing sinks in kitchen areas, mop sinks, and floor drains and floor sinks in kitchen and washing areas. The dishwashing machine shall be plumbed to the interceptor, unless specified otherwise by the District. Any discharge to the sanitary sewer from routine cleaning of exhaust hoods and ducts shall be plumbed to the interceptor. No drains from toilets, showers, or other domestic discharges shall be connected to the interceptor.

Outside refuse areas and/or washing areas must be covered, bermed to prevent discharge to storm drainage, and plumbed to the sanitary sewer, in accordance with the requirements of the municipality. These areas shall drain to the kitchen interceptor or to another properly sized interceptor.

B. Major Remodel

Any FSE which is: a) Upstream of a sewer line hot spot, as defined in Section 4. of this Ordinance and described in Section 5.C. below; AND b) Undergoing a major remodel, as defined in Section 4., shall install an interceptor, as described in Section 5.A. of this Ordinance. The requirements shall be the same as for a new FSE, except for the following:

- A remodeled FSE may be allowed to not connect some minor kitchen drains, such as hand washing sinks or floor drains, where connection of these drains to the interceptor would require excessive re-plumbing. The determination shall be solely at the discretion of the District, on a case by case basis. For any drain exempted from connection to the interceptor, the FSE shall maintain employee training and/or signage to prevent discharge of FOG to the drain.
- At the discretion of the District, on a case by case basis, a remodeled FSE may be relieved from complying with some of the requirements, specified in Section 5.A. of this Ordinance, regarding outside refuse areas and/or washing areas. At a minimum, facilities and operating practices must be adequate at all times to prevent illegal discharges to storm drainage.

Any FSE which is not upstream of a sewer line hot spot but is undergoing a major remodel, as defined in Section 4. of this Ordinance, shall install, at a minimum, one or more grease traps, as required for an existing FSE which is upstream of a hot spot. The requirement for existing FSEs upstream of a hot spot is specified in Section 5.C. of this Ordinance.

C. Existing Food Service Establishments – Upstream of "Hot Spot"

As defined in Section 4. of this Ordinance, a sewer line "hot spot" is a specific location in the sanitary sewer lines where one or more FOG-related sewer overflows have occurred, that requires significantly increased maintenance to prevent FOG-related line blockages, and/or where a significant potential exists for FOG-related line blockages to occur. The District shall maintain a current list of the locations designated as hot spots. The list shall reference the evidence supporting each designation. Such evidence may include, but is not limited to, maintenance records, SSO reports, or videotapes. The designation of a hot spot shall be solely at the discretion of the District.

The minimum GRD requirement for any FSE above (upstream) a designated hot spot shall be one or more traps draining at least the utensil sinks and dishwasher pre-rinse sink (scrap sink). The sizing of the trap(s) shall be as follows:

- For FSEs that do not currently have any GRD in place, the installed trap(s) shall be sized in accordance with Table 10-2 in Chapter 10 of the UPC, or subsequent revisions, at the discretion of the District. Manufacturer specifications may be used instead of the UPC table, if adequate documentation is provided to assure the Agency that the trap size is appropriate for the fixtures drained.
- Existing FSEs with one or more traps currently installed shall not be required to install a larger trap if the size of the trap is at least 70% of the size specified by Table 10-2 in Chapter 10 of the UPC. Those FSEs with installed traps sized at less than 70% of the UPC requirement shall be required to install larger or additional traps to meet the appropriate sizing requirement of the UPC.
- The District reserves the right to require installation of an interceptor, as discussed in Section 5.B. of this Ordinance, if such installation is appropriate due to the size, menu, and location of the FSE.

FSEs upstream of a designated hot spot, that have a grease trap meeting the requirements in Section 5.C. above, shall be issued a "conditional wastewater permit." The conditional permit shall authorize the FSE to discharge from their kitchen drains without installation of an interceptor. However, if the District determines that the FSE's grease trap(s) and operating practices are inadequate and the FSE continues to contribute significant quantities of FOG to a downstream sewer line hot spot, the conditional permit shall be revoked and the FSE shall be required to install an interceptor. If the conditional permit is revoked, the FSE shall be subject to the same requirements as described above for an FSE upstream of a hot spot and undergoing a major remodel (Section 5.B.). Such revocation shall only occur after the District has worked with the permittee to resolve the problem and has documented reasonable evidence that FOG discharges from the FSE are contributing to the hot spot problem.

All grease trap installations (existing traps or new installations) shall comply with all of the following requirements. Note that these requirements do not apply to interceptor installations.

- Dishwashing machines shall not drain to a grease trap, unless the FSE can document that the volume and temperature of wash water and rinse water discharged, in combination with any detergent, soap, and/or disinfectant in the water, will not render the trap ineffective.
- All new or existing grease trap installations shall comply with 1014.3 of the UPC. This requires a flow control device, meeting certain criteria, to be installed either on each fixture drain before the trap inlet or at the trap inlet itself.
- For any kitchen drain not connected to the grease trap, the FSE shall maintain employee training and/or signage adequate to prevent discharge of FOG to the drain.
- Installation of specialized grease removal devices of proprietary design, such as the "Big Dipper," will be considered by the District on a case by case basis. Approval shall be contingent on demonstration that the device will reliably perform at least as well as a conventional grease trap meeting the requirements of the UPC.

D. Existing Food Service Establishments – NOT Upstream of "Hot Spot"

Existing FSEs that are not upstream of a sewer line hot spot do not have permit or GRD requirements under this Ordinance. However, owners and operators of such establishments should consider that if the FSE should discharge sufficient FOG to cause an obstruction in the sanitary sewer, they would be in violation of Ordinance No. 112. Such discharge would also be likely to plug the FSE's drain lines, causing sewage back-ups into the kitchen.

Upon request, District personnel will provide FSEs with information regarding employee training and grease removal devices to minimize FOG discharge to the sewer.

SECTION 6 - Requirements for All FSEs Subject to This Ordinance

All new food service establishments (FSEs) and all existing FSEs upstream of a "sewer line hot spot" (hot spot) are subject to this Ordinance and shall have a current wastewater permit issued by the District and at least one grease removal device (GRD), as described in Section 5. of this Ordinance. The sole exception is any FSE granted a permit waiver, as discussed in Section 6.A. below. All FSEs that are subject to this Ordinance shall comply with requirements A. through E. below, unless they are granted a permit waiver.

A. Permit Waiver

All FSEs shall have a current wastewater permit issued by the District, unless the District grants a permit waiver. Waivers will be granted only to those FSEs that can demonstrate to the satisfaction of the District that they are not a significant source of FOG. This will normally be the case only if there is no cooking or clean-up taking place at the facility.

B. Permit Fees

Section 5.D. of Ordinance No. 112 specifies that the District shall have the authority to assess and collect fees from users of the District system, in order to recover costs as necessary and reasonable to demonstrate compliance with Ordinance No. 112 and/or a wastewater permit. The fees specified therein are applicable to FSEs as "Class III Users" of the system.

As discussed in Section 8.D. of this Ordinance, if an inspection by District staff determines that a permittee is in violation of one or more requirements of this Ordinance, the permittee shall be assessed a fee to reimburse the District for the cost of a re-inspection to determine that the violation has been corrected. Additional fees may be assessed if a District compliance order is issued to the permittee, as discussed in Section 8.E. of this Ordinance. All such fees are in accordance with Section 5.D. of Ordinance No. 112.

All fees associated with violations of the wastewater permit, as discussed in the preceding

paragraph, shall be in addition to any uniform fee assessed by the District on permittees in order to recover the cost of the FOG control program established by this Ordinance.

As specified in Section 5.E. of Ordinance No. 112, all fees assessed by the District pursuant to Section 5.D. are due and payable upon receipt of such notice. Section 5.E. specifies District procedures regarding fees not paid in a timely manner.

C. Grease Recycling Bin

All FSEs shall have a bin or drum for collecting waste kitchen grease and used cooking oil. FOG cleaned out of grease traps shall not be placed in this container, as it is more difficult to recycle. The container shall be used and maintained adequately to prevent spillage or leakage.

The container shall be serviced (emptied or exchanged) and recycled in a legal manner at an appropriate frequency. Receipts or other documentation of such service shall be retained at the FSE and presented to District staff on request. The FSE shall maintain adequate employee training and/or kitchen signage to assure that the container is used and maintained in an appropriate manner.

D. No Stormwater Pollution

All FSEs shall operate so as to prevent any discharge of FOG or other wastes to storm water drainage in violation of Ordinance No. 1672 of the City of San Rafael (Storm Water Management and Discharge Control Program Ordinance) or, if outside the City of San Rafael, the Storm Water Ordinance of the County of Marin.

Serious or repeated discharges to storm drainage from an FSE will be referred to the appropriate authorities for enforcement action.

E. GRD Additives Prohibited

Addition of enzymes, solvents, or emulsifiers to GRDs (grease traps or interceptors) or to drains leading to these devices is prohibited.

F. Food Grinders Prohibited

A food grinder (garbage disposal) shall not discharge to a grease removal device (grease trap or grease interceptor).

SECTION 7 - Maintenance Requirements for GRDs

The wastewater permit issued to an FSE will specify the required minimum frequency for maintaining (pumping or hand cleaning) the grease removal device(s) and how the FSE shall verify this maintenance. The options are described below.

A. Grease Interceptors and Large Grease Traps

For an FSE with a grease interceptor or a grease trap larger than 30 gallons liquid capacity (35 gpm rating / 70 pound grease storage capacity), the interceptor or trap shall be pumped (*i.e.*, all compartments pumped empty) and the contents legally disposed at a minimum frequency of once every three months. The District may require more frequent pumping if inspections by District staff indicate that pumping every three months is not adequate. At the discretion of the District, the required frequency may be reduced if the FSE provides documentation (*e.g.*, hauler certifications) adequate to establish that less frequent pumping would suffice. Such documentation shall be based on a minimum of one year of quarterly pumping and shall be verified by District inspections.

All pumping shall be performed by persons who are certified by the California Department of Food and Agriculture (DFA) as a “registered transporter of inedible kitchen grease.” The pumper shall transport the pumped waste to an “authorized receiving facility,” as defined by the DFA. DFA regulations require the pumper to provide the FSE with a “waste removal receipt” which includes the name of the FSE, the date of the pumping, the “working capacity” of the interceptor pumped (see Section 4. of this Ordinance) and the total gallons pumped.

The District will provide the FSE with a file pouch and a supply of self-addressed envelopes. Within one week of each pumping, the FSE shall mail a copy of the waste removal receipt to the District, using one of the supplied envelopes. The FSE shall file another copy of the receipt in the file pouch, for presentation to District staff on request. Receipt copies shall be retained in the pouch for a minimum of three years.

B. Grease Traps

FSEs with a grease trap of 30 gallons liquid capacity (35 gpm rating / 70 pound grease storage capacity) or less may choose to comply with the procedure specified in Section 7.A. of this Ordinance, except that the minimum pumping frequency shall be monthly, unless modified in the permit, as described above.

All FSEs with a grease trap of 30 gallons liquid capacity (35 gpm rating / 70 pound grease storage capacity) or less who do not choose to comply with the above shall comply with the procedure specified below.

The grease trap shall be cleaned by FSE staff and/or a contractor, at a minimum frequency of once every 15 days. The District may require more frequent cleaning if inspections by District staff indicate that cleaning every 15 days is not adequate. At the discretion of the District, the required frequency may be reduced if the FSE provides documentation (*e.g.*, logbook observations) adequate to establish that less frequent cleaning would suffice. Such documentation shall be based on a minimum of six months cleaning at a minimum 15 day frequency and shall be verified by District inspections.

Persons cleaning a trap shall assure that all grease and sediment is removed and

appropriately disposed. They shall also assure that all baffles, flow control devices, and other equipment are properly installed subsequent to the cleaning. All wastes removed from the trap during cleaning shall be placed in a drum or other dedicated container and be removed by a “registered transporter of inedible kitchen grease,” as described in Section 7.A. of this Ordinance. The trap waste may not be placed in the “grease recycling bin” specified in 6.C. of this Ordinance, unless the grease hauler provides written certification that this is acceptable and the hauler complies with all DFA regulations for “inedible kitchen grease.”

Cleaning of a trap shall be documented on a log sheet maintained by the FSE. The log sheet shall include, at a minimum, the date of the cleaning event, the name of the person(s) performing the cleaning, their signature, the quantity of waste removed from the trap, and any other relevant observations. The completed log sheets shall be maintained onsite in a file pouch supplied by the District for a minimum of three years and provided to District staff on request. The FSE shall provide to the District (mail or FAX) a copy of their current log sheet at a frequency specified by the District in the FSE permit.

SECTION 8 - District Monitoring of Permit Compliance

District staff will monitor FSE compliance with this Ordinance and the wastewater permit. Below is an outline of the routine monitoring and enforcement procedures. The District reserves the right to modify these procedures, as appropriate.

A. Permits

As specified in Sections 6. and 6.A. of this Ordinance, all new FSEs and FSEs upstream of a sewer line hot spot shall have a District wastewater permit or a permit waiver. District staff shall not issue a permit until they have verified that the FSE is in compliance with the grease removal device (GRD) requirements specified in Section 5. of this Ordinance. If an FSE has an existing GRD that must be replaced due to inadequate sizing, an interim permit may be issued to specify maintenance of the existing GRD.

The permit issued to an FSE shall specify the required maintenance (pumping or cleaning) frequency for the GRD, and the requirements for verifying maintenance, in accordance with Section 7. of this Ordinance.

B. Permit Inspections

Sections 4.A.2.g., 4.A.2.i., and 7.A. of District Ordinance No. 112 give District staff authority to perform inspections on the premises of sewer users and to review user records relevant to sewer discharge.

District staff will perform on-site inspections of FSEs to verify compliance with the permit. The inspections will normally be unannounced. District staff will attempt to schedule inspections so as to minimize the impact on the operation of the FSE (*e.g.*, no visiting during the lunch period). However, the FSE shall provide District staff, at all times that the FSE is open and/or in operation, with access to the FSE in order to inspect the premises, GRDs, and maintenance records. This specifically includes access to the grease removal device. If the device is inaccessible to District staff due to placement of vehicles, mats, utensils, *etc.*, FSE staff shall remove such obstacles in a timely fashion. If District staff must re-visit an FSE in order to complete an inspection, as a result of adequate access not being provided, a re-inspection fee, as discussed in 8.D. below, shall be assessed. The re-inspection fee will not be assessed only in those cases where the District inspector documents adequate extenuating circumstances.

C. Permit Violations

The following conditions are violations of an FSE wastewater permit and shall normally result in issuance of a Notice of Violation (NOV), in accordance with Section 10.A.1. of Ordinance No. 112. At the discretion of District staff, a verbal warning may be given instead of an NOV, for “borderline” violations or where there are extenuating circumstances. Egregious and/or repeated violations may result in escalated enforcement action, as described in Section 8.E. below. An NOV shall state the violation(s), the corrective action(s) required, and the date the corrective action(s) must be completed.

- GRD not maintained -The permit shall specify the minimum maintenance frequency required, in accordance with Section 7. of this Ordinance. If documentation of adequate maintenance is not provided to District staff, the FSE shall be in violation. Regardless of the frequency of maintenance, any GRD with a combined level of floating FOG and settled solids in any compartment which exceeds 25% of the liquid depth of that compartment shall be considered to be in violation.
- GRD not in working condition-All vents, baffles, inlet and outlet devices, and flow control devices necessary for proper operation of the GRD and compliance with this Ordinance must be in place and in working condition at all times.
- Grease recycling bin not in use-Unless exempted in the permit, the FSE shall comply with Section 6.C. of this Ordinance.
- Prohibited compounds discharged to GRD-Unless specific compounds are authorized in the permit, the FSE shall comply with Section 6.E. of this Ordinance.
- FOG discharged to drain not connected to GRD-See Sections 5.B and 5.C. of this Ordinance. Repeated incidents may result in requirement to connect the drain to a GRD.

- Access denied to District staff-See 8.B. above.

D. Re-inspection

If a Notice of Violation (NOV) is issued for violation of an FSE wastewater permit, the FSE shall be assessed an inspection fee, in accordance with Section 5.D.2. of Ordinance No. 112. The fee shall reimburse the District for the cost of inspecting the FSE to verify the corrective action required by the NOV.

Normally the “re-inspection fee” shall be a standard charge equal to 1.5 times the weighted hourly salary for the District staff normally performing FSE inspections, plus 60% overhead. In exceptional cases, requiring substantially more than 1.5 hours staff time for all follow-up to the NOV, the re-inspection fee shall be based on actual staff time documented.

E. Escalated Enforcement

Where deemed necessary to achieve compliance with this Ordinance, the District will take escalated enforcement action beyond or in addition to the Notice of Violation. The normal intermediate enforcement action is an Administrative Order, as described in Section 10.A.3. of Ordinance No. 112. Fees may be assessed as part of an Administrative Order in order to recover District costs for the enforcement action.

SECTION 9 – Hearings and Appeals

Section 11. of LGVSD Ordinance No. 112 is hereby incorporated by reference into this FOG Ordinance (No. XXXX). Any person wishing to appeal a decision, action, or determination of the District pursuant to this FOG Ordinance shall comply with all relevant provisions of Section 11. of Ordinance No. 112.

SECTION 10 – Severability

If any provision, paragraph, word, section, or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, words, sections, and chapters shall not be affected and shall continue in full force and effect.

SECTION 11 – Revision

The Sanitary Board of the Las Gallinas Valley Sanitary District reserves the right to update, change, or modify this Ordinance when deemed advisable and necessary.

APPENDIX A

Grease Removal Device Requirements for Food Service Establishments (FSEs)

	NOT Upstream of "Hot Spot"	Upstream of "Hot Spot"
New FSE	Interceptor* required (see 5.A. – Page 4)	Interceptor* required (see 5.A. – Page 4)
Major remodel	Grease trap required (see 5.B. – Page 4)	Interceptor required** (see 5.B. – Page 4)
Existing FSE	No requirement (see 5.D. – Page 7)	Grease trap required*** (see 5.C. – Page 5)

* Interceptor = Outside, 750 gallons minimum, connected to all kitchen drains

** For remodels interceptor may not need to be connected to all kitchen drains, at the discretion of the District.

*** "Conditional Permit" for grease trap installations (existing traps or newly installed in existing restaurants) can be revoked if "hot spot" conditions do not subside. The FSE would then have to install an interceptor, as for a major remodel.

Upon adoption of this Ordinance, it shall be entered in full in the minutes of the Board of Directors, shall be posted in three (3) places in the District, shall be published once in the Marin Independent Journal, and shall take effect immediately upon the expiration of one (1) week of said publication and posting.

Board President
Las Gallinas Valley Sanitary District


(seal)

ATTESTED:

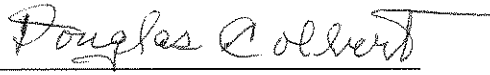
Secretary Pro Tem
Las Gallinas Valley Sanitary District

I hereby certify that the foregoing is full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting hereof held on August 17, 2006, by the following vote of the members thereof:

AYES: and in favor thereof, Members: Clark, Greenfield, Loder, Owens, Colbert
NOES: Members: None
ABSENT: Members: None


Secretary Pro Tem
Las Gallinas Valley Sanitary District
(seal)

APPROVED:


Board President
Las Gallinas Valley Sanitary District

ORDINANCE NO. 136

FILE COPY

AN ORDINANCE PROHIBITING FOOD GRINDERS IN COMMERCIAL FOOD SERVICE ESTABLISHMENTS

The Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, does ordain as follows:

WHEREAS, the Las Gallinas Valley Sanitary District (District) is adopting an Ordinance (FOG Ordinance) to control the discharge of fats, oils, and grease (FOG) to the sanitary sewers from food service establishments; and

WHEREAS, the FOG Ordinance requires restaurants and other food service establishments in the District service area to have a grease removal device (grease trap or grease interceptor) in use. The purpose of this device is to remove FOG from kitchen drainage before it is discharged to the sanitary sewer; and

WHEREAS, "food grinders," also known as "garbage disposals," are devices installed in kitchen plumbing for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing into the sanitary sewer system; and

WHEREAS, installation of a food grinder such that it discharges to a grease removal device will, in most cases, render the device less effective or unable to perform its function; and

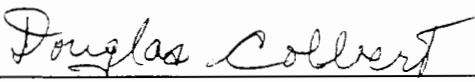
WHEREAS, the ground food discharged by food grinders is a significant source of FOG which could harden in the sanitary sewer; and

WHEREAS, food grinders are not essential to kitchen operation. Their function can be readily replaced by having kitchen personnel scrape food wastes into solid waste receptacles.

NOW, THEREFORE, IT IS DETERMINED AND ORDERED, as follows:

Installation of food grinders in new or remodeled commercial food service establishments is prohibited. Food grinders shall be removed from existing commercial food service establishments within 180 days of the adoption of this ordinance.

Upon adoption of this Ordinance, it shall be entered in full in the minutes of the Board of Directors, shall be posted in three (3) places in the District, shall be published once in the Marin Independent Journal, and shall take effect immediately upon the expiration of one (1) week of said publication and posting.



Board President
Las Gallinas Valley Sanitary District

(seal)

ATTEST:



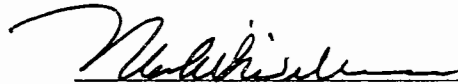
Secretary Pro Tem
Las Gallinas Valley Sanitary District

I hereby certify that the foregoing is full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting hereof held on August 17, 2006, by the following vote of the members thereof:

AYES: and in favor thereof, Members: Clark, Greenfield, Loder, Owens, Colbert

NOES: Members: None

ABSENT: Members: None



Secretary Pro Tem
Las Gallinas Valley Sanitary District
(seal)

APPROVED:



Board President
Las Gallinas Valley Sanitary District

ORDINANCE NO. 112

**AN ORDINANCE PROVIDING FOR AND REGULATING
THE ACCEPTANCE OF NON-DOMESTIC WASTES
INTO THE FACILITIES OF THE
LAS GALLINAS VALLEY SANITARY DISTRICT**

SECTION 3 - STANDARDS AND LIMITATIONS

The District has set forth the following prohibitions and limitations for waste discharge to the system. Where National Categorical Standards are applicable, the discharger must comply with the more stringent of the District local limit or the applicable categorical standard for a given pollutant.

A. GENERAL DISCHARGE PROHIBITIONS

No person shall contribute to or cause to be contributed to the system any waste or any pollutant which will:

1. Cause interference with the system.
2. Damage the system.
3. Cause pass through of the system.
4. Cause hazard to the public safety, the environment, or to District personnel.

B. SPECIFIC PROHIBITIONS

No person shall discharge any waste to the system, except through sewer connections approved by the District. Discharge at any other location, specifically including collection system manholes, is prohibited without prior written approval from the District.

Except as hereinafter provided, no person shall discharge, or cause to be discharged, to the system any of the following described waters or wastes:

1. Any solid or viscous pollutants in amounts which will cause obstruction to the flow in the system, or which will require unusual attention or expense to convey and/or treat. In no case shall there be discharge of any solid material not capable of passing through a 3/8 inch mesh screen.
2. Pollutants which create a fire or explosive hazard in the system, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21.
3. Heated discharges in amounts which will inhibit biological activity in the treatment facility resulting in interference. Heated discharges in such quantities that the temperature at the treatment plant exceeds 104°F (40°C), or which pose a hazard to District personnel.
4. Any discharge which has been diluted as a partial or complete substitute for treatment to achieve compliance with this Ordinance, the user's waste discharge permit, or the National Categorical Standards.

5. Any discharge of hazardous waste, as defined by Title 22 of the California Code of Regulations, without the written approval of the District.
6. Any discharge which causes noxious or malodorous gases at or near the District's facilities or which otherwise creates a public nuisance.
7. Pollutants which result in the presence of toxic gases, fumes, or vapors within the District's facilities in a quantity that endangers the health or safety of District's personnel.
8. Any storm water, surface water, groundwater, roof runoff or subsurface drainage, except in cases of discharge of contaminated groundwater in accordance with Section 8.
9. Any radioactive wastes, except as allowed under the "California Radiation Control Regulations", CCR Title 23 sec 30100 et seq.
10. Any discharge of any pollutant, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or concentration which will cause interference with the system.
11. Any discharge containing petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that, alone or in conjunction with other discharges, will cause interference or pass-through.
12. Any discharge which, alone or in conjunction with a discharge or discharges from other sources, will compromise the use of District's treated wastewater for any adopted reclamation use.
13. Pollutants which will cause corrosive structural damage to the system.
14. Substances containing greater than five percent copper by weight, added to control roots or for any other purpose.

C. OTHER PROHIBITIONS

1. Use of Dilution Prohibited:

Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the national pretreatment standards, or in any other pollutant-specific limitation developed by the District or State. An increase in the use of process water which is reasonably proportional to increased production and which is required for said increase in product, will not be considered a use of dilution.

LGVSD Sewerline FOG "Hot Spots"

RESTAURANT NAME	RESTAURANT ADDRESS	MH NUMBERS	REMARKS
Golf Club House	350 Smith Ranch Road	V010.07+V010.05 V010.05+V010.03 V010.03+V010.01	
Chili's Grill & Bar	490 Las Gallinas Ave	S123.21+S123.05	
Joe's Café	4150 Redwood Hwy	T013.13+T013.11	
Three Dragons Restaurant	4166 Redwood Hwy	T013.11+T013.09	
Mulberry Pizza / Smith Ranch Deli	101 Smith Ranch Rd	N050.21+N050.19 N050.17+N050.15	
Safeway	950 Las Gallinas Ave	T040.01+T000.29 T040.03+T040.01	siphon see also Northgate One MHs on Sheet 2
La Hacienda Tacqueria	3815 Redwood Hwy	S102.01+S000.43	
McDonalds	190 Merrydale Rd	S101.07+S101.05	
Sizzler	3725 Redwood Hwy	S101.07+S101.05	
A&W	3741 Redwood Hwy	S101.05+S101.03	
La Toscana	3751 Redwood Hwy	S101.05+S101.03	
Gaspere's Pizzeria	200 Merrydale Rd	S101.05+S101.03	
Peking Wok	418 Las Gallinas Ave	S123.25+S123.23	
Roma Pizza	422 Las Gallinas Ave		
High Tech Burrito	484 Las Gallinas Ave	S123.23+S123.21	
Embassy Suites Hotel	101 McInnis Pkwy	S151.05+S151.03 S151.03+S151.01	
Smith Ranch Homes	500 Deer Valley Rd.	N051.35+N051.37 N051.37+N051.39	

LGVSD Sewerline FOG "Hot Spots", continued

RESTAURANT NAME	ADDRESS	MH NUMBERS	REMARKS
<p>Northgate One: Round Table Pizza Calgang Restaurant Sonoma Taco Shop Jelly Donut Ming's Roast Haus</p> <p>The Northgate Mall: 3 new restaurants are planned outside of the food court Applebee's (New) Food Court</p>	<p>186 Northgate One 194 Northgate One 210 Northgate One 244 Northgate One 248 Northgate One 276 Northgate One</p> <p>Las Gallinas Ave.</p>	<p>T041.11 + T041.09 T041.09 + T041.07 T041.07 + T041.05 T041.05 + T041.03 T041.03 + T041.01</p> <p>T030.23 + T032.01</p> <p>T032.01 + T032.03 T032.03 + T032.05</p>	



MEMORANDUM

July 28, 2006

To: Mark Williams, LGVSD District Manager
From: Bob Adamson, Environmental Services Administrator
Re: **Implementation Schedule for LGVSD FOG Control Program**

Attached is a proposed implementation schedule for the LGVSD (District) FOG Program. I can revise the schedule if you wish.

Note that the schedule assumes we will proceed as we proposed last year, with restaurants submitting to the District "Grease Removal Device (GRD) Compliance Plans" if they do not have an acceptable GRD (trap or interceptor) in place. When they have submitted an acceptable GRD Compliance Plan, the District will give them a letter verifying this, which they will submit to Marin County Environmental Health Services (EHS) as part of the restaurant plan check process.

Now that San Rafael Sanitation District (SRSD) is going to have a FOG Control Program, we may want to develop a different procedure for integrating compliance with the FOG Ordinances into the process by which EHS and the City of San Rafael Building Department approve restaurant plans. Frank Prim, Deputy District Administrator, is working on this issue, you may contact him at 485-3356.

By the attached schedule, some restaurants may take as long as one year to be in compliance with the GRD requirements or be subject to escalated enforcement action. It is our intent, however, to have most of the restaurants on permit and in compliance well before that time. Below is our "working schedule" for achieving this:

- Prior to September 1 permit application mailing, we will generate a short list of FSEs for which it is appropriate to put on a "fast track" permit process (*e.g.*, the Safeway store at Northgate One).
- One of the options on the permit application will be to request an appointment for one of our inspectors to visit the business to assist them in determining what their compliance options are. These visits will be a priority as soon as the requests are received.
- After the October 16 deadline for submittal of permit applications, our priority will be to visit those restaurants that have not submitted an application.
- Due to time constraints and other considerations, we intend to begin implementation of the LGVSD FOG Program without a master database program to handle all administrative functions. It is our intent to work on this program, which will also serve SRSD, after the initial permitting work.

**LGVSD FOG Control Program Implementation Schedule
7/28/06**

Element	Date	Elapsed Time from Previous Event
LGVSD Board adopts FOG Ordinance & Food Grinder Ordinance	August 17, 2006	
Ordinances effective	August 24, 2006	7 days
Summary of Ordinances mailed to FSEs w/permit application	September 1, 2006	
Permit application due	October 16, 2006	45 days
GRD Compliance Plan due (if needed)	February 13, 2007	120 days
GRD compliance deadline	August 13, 2007	6 months

DEFINITIONS:

1. FOG- Fats, oils, and grease
2. FSE- Food service establishment (restaurants, bakeries, *etc.*)
3. GRD- Grease removal device (grease interceptor or grease trap)
4. GRD Compliance Plan- Food Service Establishments (FSEs) that need to install a GRD will submit a "GRD Compliance Plan." This will be a concise statement of what Grease Removal Device(s) they will install in order to be in compliance with the LGVSD FOG Policy.