

ORDINANCE NO. 832-2022

AN ORDINANCE OF THE TOWNSHIP OF EAST PENNSBORO, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING AND REVISING ORDINANCE NO. 737-2007, CHAPTER 18, SEWERS AND SEWAGE DISPOSAL, PART 5, FATS, OILS AND GREASE CONTROL PROGRAM, AMENDING DEFINITIONS, APPLICABILITY TO CERTAIN BUSINESSES WITHIN THE TOWNSHIP WHICH GENERATE FATS, OILS AND GREASE (“FOG”), ESTABLISHING REQUIREMENTS FOR MAINTENANCE, INSTALLATION OF GREASE TRAPS AND GREASE INTERCEPTORS, ESTABLISHING DISCHARGE CRITERIA FOR FOG, ESTABLISHING PERMIT REQUIREMENTS FOR ALL FOG PRODUCERS AND DISPOSAL OF FOG, PROHIBITING CERTAIN ACTS, ESTABLISHING MONITORING, INSPECTION AND ENTRY OF PERMITEE ESTABLISHMENTS AND PROVIDING FOR DENIAL, SUSPENSION OR REVOKING OF PERMIT, ESTABLISHING PENALTY FOR VIOLATION OF ORDINANCE, AND REPEALING INCONSISTENT ORDINANCES.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of East Pennsboro, Cumberland County, Pennsylvania, the following amendments to Chapter 18, Sewers and Sewage Disposal and Part 5 Fats, Oils, and Grease Control Program of the Code of Ordinances of East Pennsboro Township as follows:

SECTION 1. Sections 500 through Section 516, of Part 5 [Fats, Oils and Grease Program] of Chapter 18 [Sewers and Sewage Disposal] of the Code of Ordinances of the Township of East Pennsboro are hereby amended and revised as follows:

§18-500. PURPOSE.

The purpose of the Fats, Oils and Grease Program is to reduce the amount of “FOG” being introduced into East Pennsboro Townships’ wastewater collection system. By doing so, we will remain in compliance with the Clean Water Act of 1977. The issuance of permits, sampling, inspections and enforcement will provide a regulation for the FOG contributors. Requirements within this program shall be applied to, but not limited to, every commercial food establishment, food courts and all areas of intensified dwelling that discharge effluent to be treated by East Pennsboro Townships Wastewater Treatment Plant.

§ 18-501. Definitions.

Unless the context specifically and clearly indicates otherwise, the meaning of the terms used in this Part shall be as follows:

AUTHORIZED AGENT

A certified sewage enforcement officer, code enforcement officer, professional engineer, plumbing inspector, municipal secretary, or any other qualified or licensed person who is delegated by the Township to carry out the provisions of this Part.

BEST MANAGEMENT PRACTICE

Schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the introduction of fats/oils/greases (FOG) to the sewer facilities. (Available upon request).

COMMISSIONERS

The Commissioners of East Pennsboro Township, Cumberland County, Pennsylvania.

DISCHARGE

The introduction of wastewater into the East Pennsboro Township sewer system.

DISPOSAL

The discharge, deposit, injection, dumping, spilling, leaking or placing of any solid or semi-solid grease interceptor waste into or on any land or water so that such wastewater or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

DISPOSAL FACILITY OPERATOR

An individual who is authorized to accept or reject liquid waste at a disposal site, and who is authorized to sign a manifest.

DISPOSAL SITE

A permitted site or part of a site at which grease interceptor waste is processed, treated and/or intentionally placed into or on any land in a manner compliant with all applicable federal, state, and local regulations, and at which site said wastewater will remain after closure.

EMULSIFIERS AND/OR DE-EMULSIFIERS

Any substance or substances which, when added or placed into a grease interceptor, will form an oily substance into a milky fluid in which the fat globules are in a very finely divided state and are held in suspension, giving it the semblance of a solution.

EXISTING FACILITY

Any building, structure or installation from which there is or may be a discharge of wastewater, the construction of which started before the adoption of this Part.

FATS, OILS AND GREASE DISCHARGE PERMIT APPLICATION (FOG PERMIT APPLICATION)

The application the facility is to fill out to obtain a permit to discharge its wastewater into the Township's sewer system under the conditions of this Part.

FIXTURES

A part (such as a sink, faucet, etc.) that is attached to a system of pipes that carry water through a building.

FATS, OILS AND GREASE DISCHARGE PERMIT (FOG PERMIT)

The permit issued to a new or existing facility that grants the facility permission to discharge its wastewater into the Township's sewer system under the conditions of this Part.

FOG

Any substance, such as a vegetable, animal or other 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

FOOD COURTS

Areas predominantly found in shopping centers or festivals where several food preparation establishments having different owners may be sharing seating space and/or plumbing facilities.

FOOD ESTABLISHMENT

Any new or existing facility that cuts, cooks, bakes, prepares or serves food, or which disposes of food-related wastes and/or which has a local, state, and/or federal food establishment license.

GARBAGE GRINDER

A device that shreds or grinds up solid or semi-solid waste materials into smaller portions for discharge into the sewer system including a food scrap disposal system.

GENERATOR

A new or existing facility that causes, creates, generates, stores, or otherwise produces wastewater from on-site process operations, whether domestically or commercially generated. The generator is responsible for assuring that the produced wastewater is disposed of in accordance with all federal, state and local disposal regulations.

GREASE

Waxes, free fatty acids, calcium and magnesium soaps, mineral oils and certain other non-fatty material from animal or vegetable sources, or from hydrocarbons of petroleum origins, commonly found in Wastewater from food preparation and food service. Grease may originate from, but not be limited to, discharges from scullery sinks, pot and pan sinks, dishwashing machines, soup kettles and floor drains located in areas where grease-containing materials may exist.

GREASE INTERCEPTOR

A watertight receptacle utilized by commercial or industrial generators of liquid waste to intercept, collect and restrict, the passage of grease into the sewer system to which the receptacle is directly or indirectly connected, and to separate and retain grease from the wastewater discharged. Grease interceptors are generally required to be located underground between the building and the connection to the sewer system.

GREASE INTERCEPTOR WASTE

Any grease or organic or inorganic solid or semi-solid waste collected and intercepted by a grease interceptor, usually in layers of floatable, suspended, and settleable substances, which are ultimately removed from a grease interceptor for proper disposal.

GREASE TRAP

A grease control device that is used to serve individual fixtures with a capacity of five to 50 gallons, located inside the food establishment.

INSPECTION PORT

Openings with easily opened covers, designed to allow authorized agents quick access to the inlet flow control device, each compartment of the grease interceptor, and the effluent.

LIVING QUARTERS

A new or existing facility, or an area of a new or existing facility, where a person or family has a distinct living area, which includes individual kitchen and bath facilities, utilized solely by that single person or family.

MANAGER

The person, regardless of actual title, immediately on-site at a location conducting, supervising, managing, or representing the activities of a generator, or a transporter.

MANIFEST

The written, multi-part form used as documentation and required to be in the possession of the generator, transporter, and disposal site to document the generation, receipt, transportation, and disposal of grease interceptor waste at a permitted or registered disposal site, and specifying the identity of the generator, transporter, and disposal facility operator and the volume of grease interceptor waste disposed.

MONITORING PORT

An inspection port large enough to allow temporary installation of monitoring devices such as samplers, strip recorders, flow meters, or other such measuring and/or monitoring devices.

NEW FACILITY

(1) Any new building, structure, facility, or installation from which there is (or may be) discharge of wastewater, the construction of which commenced after the adoption of this Part, provided that:

- (a) The building, structure, facility, or installation is constructed at a site at which no other wastewater source is located.
- (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of wastewater at the site.
- (c) The production processes or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing wastewater source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing facility, and the extent to which the new facility is engaged in the same general type of activity as the existing wastewater source should be considered.
- (d) Any remodeling or modification that results in a new facility as determined by the Township.

(2) Construction on a site at which an existing wastewater source is located results in a modification rather than a new wastewater source if the construction does not create a new building, structure, facility, or installation meeting the criteria of clause (b) or (c) above, but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a new wastewater source as defined under this paragraph has commenced if the owner or operator has:

- (a) Begun, or caused to begin, as part of a continuous on-site construction program any placement, assembly, or installation of facilities or equipment; or significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment.
- (b) Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a reasonable time. Options to purchase or contract, which can be terminated or modified without substantial loss, and contracts for feasibility, engineering and design studies, do not constitute a contractual obligation under this paragraph.

NPDES

National Pollutant Discharge Elimination System as administered by the Pennsylvania Department of Environmental Protection (PA DEP).

OILS AND GREASE

Any material, but particularly biological lipids and mineral hydrocarbons, that is recovered as a substance soluble in an organic extracting solvent using an appropriate analytical method approved under 40 CFR 136. It also includes other material extracted by the solvent from an acidified sample and not volatilized during the extraction procedure.

OIL/WATER SEPARATOR

A device that is specifically designed and manufactured to separate oil from water and permits the oil to be collected and removed on a regular basis so as to prevent it from being discharged into the public sewer system.

OWNER

Any person vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

PERMITTEE

A person issued a permit under this Part, including any agent, employee, or authorized person of the permittee. – Essentially yes, the owner of the facility is the person in charge of FOG control.

PERSON

Any individual, partnership, company, association, corporation or other group or entity.

REASONABLE HOURS

Any time during which a facility is open for business to the public. It shall also include those times when a facility is closed to the public when a manager, employees, and/or contractors are present at the facility and involved in cleanup or food preparation, or any other business activity.

SEWER SYSTEM

The sanitary sewer system owned by East Pennsboro Township, including mains, interceptors, pumping stations, treatment plant, force mains, and other related wastewater facilities.

SHOPPING CENTER

A group of architecturally unified commercial establishments built on a site that is planned, developed, owned, and managed as an operation unit for sale or lease, with on-site parking in definite relationship to the types and sizes of stores at the site.

TOWNSHIP

East Pennsboro Township, Cumberland County, Pennsylvania.

TRANSPORTER

A user who transfers grease interceptor waste from the site of a generator to an approved disposal site. The transporter is responsible for assuring that all federal, state and local regulations are followed regarding wastewater transport.

TWENTY-FIVE PERCENT RULE (25 PERCENT RULE)

If the depth of scum and solids in the interceptor exceeds 25% of the usable volume, then the grease interceptor must be pumped out.

WASTEWATER

The liquid and water-carried wastes from dwellings, commercial establishments, industrial facilities and institutions, whether treated or untreated.

§ 18-502. Applicability.

1. Wastewater that contains FOG shall be discharged into the sewer system only under the conditions of this Part. The following facilities shall discharge all wastewater from sinks, dishwashers, drains, and any other fixtures through which grease may be discharged, into an adequately sized, properly maintained and functioning grease trap or grease interceptor before the discharge enters the sewer system:

- A. Every commercial food establishment.
- B. All food courts.
- C. All vehicle repair and car wash facilities
- D. All other generators discharging grease in amounts that, in the opinion of an authorized agent, will, alone or in concert with other substances from the discharges of other facilities, have a reasonable chance to impede or stop the flow of the sewer system.

2. All areas of intensified dwelling, including, but not limited to, adult day care facilities, assisted living facilities, convalescent homes, day nursing and child care facilities, in which food preparation occurs, homes for the mentally challenged, hotels, maternity homes, motels in which there is a commercial food preparation service, nursing homes, retirement and life care communities and homes, and truck stops with commercial food service, shall be required to have grease interceptors. Modifications to existing facilities that do not add new buildings or new grease generating activities are exempt from this requirement.

3. Grease traps or Grease interceptors shall not be required for single-family residences, duplexes, triplexes, quadplexes, or apartment complexes, unless an authorized agent first determines there are discharges from the property that may create problems in the sewer system. The determination shall be made based upon an investigation of the property, and a comparison of the content and amount of discharge from the property with the discharges of other properties similar in size and use. Upon a determination that the discharges will create problems in the sewer system, the authorized agent may require the installation of a sufficiently sized grease trap or grease interceptor to treat the discharges.

§ 18-503. Compliance Date.

1. On or after the effective date of this Part, an existing facility shall be required to install an approved, adequately sized, and properly operated and maintained grease trap or grease interceptor when any of the following conditions exist:

A. It is found by an authorized agent to be contributing grease in quantities sufficient to cause sewer line stoppages or necessitate increased maintenance on the sewer system in order to keep main line stoppages from occurring.

B. It is remodeling the food preparation or kitchen waste plumbing facilities in such a manner to be subject to a permit.

C. Its grease trap or grease interceptor allows a discharge of oil and grease in excess of 100 milligrams per liter (mg/L).

2. Existing facilities required by this or other applicable ordinances to maintain a grease trap or grease interceptor and that are not equipped with a grease trap or grease interceptor or are equipped with an undersized grease trap or grease interceptor shall, within 180 days of the effective date of this Part, install an adequately sized grease trap or grease interceptor in accordance with the specifications of this Part.

3. If the Township's authorized agent determines that there is a need for installation or upgrading of a grease trap or grease interceptor on an existing facility, the Township may order the installation or upgrading of such grease trap or grease interceptors. If the Township orders such installation or upgrade, then the Township shall serve notice by registered or certified mail upon the owner of such premises. The owner may request and shall be granted a hearing before the Board of Commissioners. Such hearing shall be requested by filing a petition, in writing, stating the grounds of the petition within five days after notice of the authorized agent's decision and paying an administration fee in an amount as established from time to time by resolution of the Board of Commissioners. The hearing shall commence within 30 days of filing of the petition unless postponed for good cause. After such hearing the Board of Commissioners shall sustain, modify or overrule the action of the authorized agent.

4. The Township may waive the requirement for a grease interceptor provided the generator can verify that only domestic wastewater is being discharged. The Township may require testing by the generator in connection with this request, with all costs for this testing being the generator's expense.

5. New facilities required by this or other applicable ordinances to maintain a grease trap or grease interceptor shall install such a unit prior to commencement of discharge to the sewer system.

6. On or after the effective date of this Part, any existing facility or new facility that is required to utilize a grease trap or grease interceptor must obtain a FOG permit from the Township.

§ 18-504. Discharge Criteria.

1. The following prohibitions shall apply:

A. Where FOG are a by-product of food preparation and/or cleanup, reasonable efforts shall be made to separate waste oil and grease into a separate container for proper disposal. Except as contained in by-products of food preparation and/or clean up, waste oil and grease shall not be discharged to any drains, grease traps or grease interceptors. Such waste shall be placed in a container designed to hold such waste and either utilized by industry or disposed of at suitable disposal sites.

B. None of the following agents shall be placed directly into a grease trap or grease interceptor, or into any drain that leads to the grease trap or grease interceptor:

- (1) Emulsifiers, de-emulsifiers, surface active agents, enzymes, degreasers, or any type of product that will liquefy grease interceptor wastes.
- (2) Any substance that may cause excessive foaming in the sewer system.
- (3) Any substance capable of passing the solid or semi-solid contents of the Grease trap or grease interceptor to the sewer system.
- (4) Illegal discharge items, such as hazardous wastes including, but not limited to, acids, strong cleaners, pesticides, herbicides, paint, solvents, or gasoline.
- (5) The use of any biological or chemical additives as a substitute for grease traps or grease interceptors for the proper maintenance of grease traps or grease interceptors is prohibited. Chemical additives, such as solvents, are strictly prohibited from use in all cases. However, the use of biological additives as a supplement to maintenance may be authorized. Written approval shall, be obtained from the Township Sewage Enforcement Officer or his/her authorized representative prior to permittee's use of any biological additives.
 - (a) Acceptance of such products for use may be considered only where a valid screening test, showing the product's ability to treat the wastewater and to produce an influent in compliance with this Part, has been performed in accordance with methods outlined and approved by the Township.
 - (b) If a product is approved, each generator shall obtain written permission from the Township to use the product.

C. The influent to grease interceptors shall not exceed 140° F. The temperature at the flow control device inspection port shall be considered equivalent to the temperature of the influent.

D. Toilets, urinals, and other similar fixtures shall not discharge through a grease trap or grease interceptor.

E. All waste shall only enter the grease trap or grease interceptor through the inlet flow control device, then the inlet pipe.

F. Where food-waste grinders are installed in a nonresidential establishment, the waste from those units shall discharge directly into the building drainage system without passing through a grease trap or grease interceptor.

G. The concentration of FOG that can be discharged to the sewer system shall not exceed 100 mg/L.

§ 18-505. Requirements for Grease Traps & Grease Interceptors.

1. All new and existing facilities, both commercial and industrial, dealing with grease shall, at the permittee's expense and as required by the Township:

- A. Provide an adequately sized and properly constructed grease trap or grease interceptor.
- B. Maintain backup copies of manifests and service logs, on the premises of the existing facility, for at least three years.
- C. Generators are responsible for maintaining grease traps or grease interceptors in continuous proper working condition. Further, generators are responsible for inspecting, repairing, replacing, or installing apparatus and equipment as necessary to ensure proper operation and function of grease traps or grease interceptors and compliance with discharge limitations at all times.
- D. Allow inspection of the facility and records by authorized agents during reasonable hours.

§ 18-506. Grease Interceptor & Grease Trap Sizing, Design & Construction.

1. Any person responsible for discharges requiring a grease trap or grease interceptor shall, at his own expense and as required by the Township, provide plans and specifications for equipment and facilities of a design type and design capacity approved by the Township. The grease trap or grease interceptor must be in compliance with the current applicable plumbing codes. The person shall locate the grease interceptor in a manner that provides easy accessibility for cleaning and inspection and maintain the grease interceptor in effective operating condition. The Township's authorized agent shall inspect the grease interceptor during construction and upon completion. All interested parties shall make a final inspection before any service connections are made.

- A. The design and sizing of grease traps, grease interceptors, oil/water separators, and holding tanks shall be in accordance with the standards listed below and shall be reviewed and approved by the Township Sewage Enforcement Officer prior to plan approval or installation; all such facilities shall be inspected by the Township during installation.
- B. The Township may require any existing food service establishment and shall require all new food service establishments or existing establishments which will be expanded or renovated to install grease traps or grease interceptors subject to such terms and conditions as deemed necessary by the Township to protect the sewer system and the wastewater treatment plant from excessive amounts of fats, oils and grease (FOG), and as necessary to address public health and safety and environmental concerns. Among the factors to be

considered by the Township is whether the user's discharge has the potential to obstruct the flow in the sewer or to interfere with the operation of the wastewater treatment plant.

- C. Sizing of grease traps and grease interceptors shall be based on wastewater flow and grease retention capacity in accordance with the International Plumbing Code, Section 1003. Indoor grease traps shall be designed in accordance with the Plumbing and Drainage Institute Standard PDI-G101 in the 2015 IPC. Indoor grease traps will not be approved for food service establishments that are equipped with dishwashers or garbage disposals.
- D. Generally, a grease interceptor shall be placed outside the building instead of an inside grease trap. The minimum size grease interceptor required is 1,000 gallons. Interceptors can be installed in series if greater capacity is needed.
- E. Grease interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable selfsealing waterproof and gastight covers. Other design considerations shall include but are not limited to the following:
 - (a) Minimum of two compartments, each with its own manhole, and a center baffle to allow floating of FOG and settling of solids;
 - (b) Inlet and outlet on grease interceptor shall be properly baffled;
 - (c) Flow control devices;
 - (d) Manholes finished to grade to allow easy access for proper maintenance;
 - (e) Cleanout on outlet side of interceptor;
 - (f) Inaccessibility to insects and vermin; and
 - (g) Installation of sample vault with hydraulic jump on discharge side of interceptor.
- F. Grease traps and grease interceptors shall be located in the service lateral line between all fixtures that may introduce FOG into the sewer system and the service connection to the Township sewer system. Such fixtures include, but are not limited to, sinks, dishwashers, garbage disposals, automatic hood wash units, floor drains in food preparation and storage areas, and any other fixture that is determined to be a potential source of FOG. Grease traps and grease interceptors are to be installed at a minimum distance of 10 feet from sinks and dishwashers to allow for adequate cooling of wastewater. All traps and interceptors shall be so located as to be readily and easily accessible for cleaning and inspection. The trap/interceptor size, type of construction, and the location of the installation shall be approved by the Township prior to installation. Approval shall be evidenced by a letter signed by the Township Sewage Enforcement Officer or his/her authorized representative.

§ 18-508. Permit Requirements.

1. All dischargers of FOG shall be required to complete and submit a fats, oils, and grease (FOG) discharge permit application to the Township within 60 days of notification by the Township. Said form is

available at the Township office. The FOG discharge application form is also required to be submitted prior to connecting to the sewer system or prior to installing a grease trap or interceptor. A permit fee, as established in the Township's current Schedule of Fees and Charges, shall be submitted with the FOG discharge application form.

2. When required by the Township, a sampling manhole or vault may be required and included as a requirement in the FOG discharge permit. The sampling manhole or vault shall be constructed so that a free flow sample may be collected for analysis, since immersion of a sample container beneath the surface of the wastewater is not an acceptable technique for collection of a wastewater sample for FOG analysis. Sample collection, preservation method, holding time and test method for FOG analysis shall be in accordance with 40 CFR 136.

3. FOG discharge permits will be issued for a period of one year, at which time the Township shall conduct an inspection at the permitted facility as detailed in 18-512 of these regulations.

4. Following receipt of the annual permit fee & FOG Discharge Permit Application, facilities will be reissued a FOG discharge permit.

5. The FOG permit application shall include the following:

- A. The generator's name, address and telephone number, and the name, address, and telephone number of the existing facility to be serviced, if different.
- B. The name, title, address and phone number of each of the authorized signatory representatives.
- C. The name of the contact person for the existing facility.
- D. Name(s) on the water supply account(s), the water service account number(s), and a copy of the last water bill.
- E. A description of any anticipated changes or expansions to the existing facility during the next three (3) years that could alter wastewater volumes or characteristics.
- F. The size of each existing grease interceptor, how often they are currently served and if any additives are used.
- G. The current shift information.
- H. A list of all major equipment used for food preparation.
- I. The precise and unambiguous location of the grease interceptor(s) on the property, including a diagram if necessary.
- J. A signature and date by an authorized signatory representative.

6. A copy of the FOG permit application can be obtained on the Township's website located at <http://www.eastpennsboro.net/> or by contacting the East Pennsboro Township office at (717)732-0711, Monday through Friday, between the hours of 8:00 a.m. and 4:00 p.m.

§ 18-509. Fats, Oils and Grease Hauled Waste Manifest.

1. The fats, oils and grease hauled waste manifest shall be kept on site and shall contain the following information:

- A. Part I - Waste Hauler Information.
 - (1) Transporter name.
 - (2) PA DEP license number.
 - (3) Name of driver.
 - (4) Truck license number.
 - (5) Cumberland County permit number.

- B. Part II - Waste Generator Information.
 - (1) Name of generator.
 - (2) Permit number.
 - (3) Address.
 - (4) Phone number.
 - (5) Time pumped.
 - (6) Size of grease interceptor.
 - (7) Gallons pumped.
 - (8) Signature of generator.
 - (9) Date.

- C. Part III - Waste Disposal Site Information.
 - (1) Name of permitted disposal site.
 - (2) PA DEP permit number.
 - (3) Address.
 - (4) Phone number.
 - (5) Total gallons received.
 - (6) Signature of disposal facility operator.
 - (7) Date.

D. The printed name, signature of the transporter, date and time of pumping are also required at the bottom of the form.

§ 18-510. Grease Trap & Grease Interceptor Installation & Maintenance.

All permitting, construction, and inspection activities must be completed in accordance with the current applicable plumbing codes. Additionally, the following specifications must be incorporated into grease interceptor design:

- (1) Grease traps and grease 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. Grease traps and grease interceptors subject to these standards shall be completely evacuated a minimum of every 90 days, or more frequently when:
 - (a) Twenty-five percent or more of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the device to the invert of the outlet

pipe, contains floating materials, sediment, oils or greases before the minimum 90 day pump out; or

- (b) The discharge exceeds 100 mg/L in FOG Concentration before the minimum 90 day pump out.
- (2) An owner may submit a request, in writing, for an exception to the ninety-day pumping frequency of his/her grease trap/interceptor. The Township may grant an extension for required cleaning frequency on a case-by-case basis when:
- (a) The grease trap/interceptor owner/operator has demonstrated that 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 Township; or
 - (b) Less than 25% of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases.
- (3) For all facilities, a grease trap and grease interceptor shall be fully evacuated, cleaned, and inspected at least once every 180 days.
- (4) Even if a grease trap or interceptor is installed and maintained properly, there is still a possibility that FOG can pass into the sewer collection system and cause blockages. Therefore, the Township may also require that a facility have its private sewer lateral cleaned at the owner's expense.
- (5) Oil/water separators shall be installed at existing automotive repair facilities and car washes if the potential exists for petroleum oils to be discharged to the sewer system via floor drains. New facilities of this type are prohibited from installing floor drains that are connected to the sewer system. The type and size of oil/water separator shall be determined by the owner and approved by the Township prior to installation. Approval shall be evidenced by a letter signed by the Township Sewage Enforcement Officer or his/her authorized representative.
- (6) The frequency of cleaning of the oil/water separator shall be as required by the Township and shall be based on the trap/interceptor/separator manufacturer and the size and type of the establishment/facility. The Township has available grease trap/interceptor maintenance logs at the Township Sewer Department for facilities to record their maintenance activities on.
- (7) The owner shall at all times keep grease traps, grease interceptors and oil/water separators in good working condition. Traps, interceptors and separators shall be inspected, cleaned and repaired regularly, as required by the Township or as needed, by the owner at the owner's expense. The owner shall be responsible for the proper removal and disposal of the captured material from traps, interceptors and separators and shall maintain complete and accurate records. Under no circumstances shall captured materials be allowed to enter the sanitary sewer system.

(8) The Township shall review the FOG discharger pump out report form to determine the minimum inspection and cleaning frequency for the establishment.

(9) If a grease trap or interceptor becomes inoperable for any reason, the facility permittee shall inform the Township within 48 hours of the grease trap or interceptor first becoming inoperative, of the corrective measures being taken by the permittee to restore operation of the grease trap or interceptor, and when these corrective measures will be accomplished, which shall not exceed 10 days. The grease trap or interceptor shall not be used until it is fully functional.

§ 18-511. Disposal of Grease Interceptor Waste.

1. All grease interceptor waste originating within the Township shall be disposed of at approved disposal sites.

2. No person or organization shall provide grease trap or grease interceptor hauling, pumping, cleaning or inspection services in the Township unless licensed by PA DEP and permitted by Cumberland County.

3. All wastewater removed from each grease trap or grease interceptor shall be disposed of at a permitted disposal site. In no way shall the pumped material be returned to any private or public portion of the sewer system, without prior written approval from the Township. Additionally, grease removed from a grease trap or grease interceptor shall not be recycled so as to become a food product for animal or human consumption.

4. All grease haulers must be able to provide evidence of adequate insurance, in the form of current insurance certificates, for his firm or his subcontractors.

§ 18-512. Facility Closure.

1. When an existing facility with a grease trap or grease interceptor closes for business, and is subsequently:

A. Razed or demolished, then any grease interceptor(s) shall be physically removed.

B. Remodeled or replaced with a type of business that will not utilize the grease interceptor, then the grease interceptor(s) shall be either physically removed or left in place. If left in place the grease trap(s) or grease interceptor(s) shall have all wastewater pumped out, be cleaned thoroughly, left dry and empty.

(1) Be re-plumbed as to bypass the existing grease trap(s) or grease interceptor(s), either by straight through or bypassing methods, while leaving the empty grease trap(s) or grease interceptor(s) in place for possible future utilization by another business.

(2) Re-plumbed with a straight line plumbed from the inlet to the outlet, and the remainder of the grease trap(s) or grease interceptor(s) filled with soil or sand.

C. In all instances, the owner of the premises shall appropriately inform the Township and perform the closure at such a time so as to permit an authorized agent to be physically present during the removal or filling of the grease trap(s) or grease interceptor(s).

§ 18-513. Monitoring, Inspection and Entry.

1 It shall be unlawful for a generator, whether or not the generator possesses a FOG permit, to refuse to allow authorized agents to enter their premises during reasonable hours to determine whether the generator is complying with all of the requirements of this Part and FOG permit or order issued hereunder. A generator shall allow the authorized agent access to all parts of the premises for purposes of inspection, sampling, records examination and copying, and the performance of additional duties. Arrangements for the immediate access of the Township or their designated representative shall have been made ahead of time; however, such failure to make adequate arrangements shall not be considered a legitimate reason to refuse admittance of an authorized agent.

2 In cases where an existing facility includes private living quarters, the right of access shall extend to all common areas, and any other area or areas an employee, including the manager and/or owner, may enter without expressed permission of the residents.

3. If the authorized agent has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Part, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the Township designed to verify compliance with this Part or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the authorized agent may seek issuance of a search warrant from any court of competent jurisdiction.

- A. Township staff shall inspect each facility holding a FOG discharge permit on an annual basis or more frequent and record inspection findings on a FOG Inspection form, which the Township maintains at its office and updates from time to time.
- B. Inspections shall include, but not limited to, a review of housekeeping practices at the facility, an inventory of operating hours and kitchen appliances generating FOG, a review of trap and interceptor contents and FOG levels, and records required to be maintained onsite.
- C. Facilities will be provided with a copy of the inspection report after inspection is completed.
- D. Township personnel shall have the right to make periodic inspections of the permitted-facilities and associated records to ensure that proper installation, maintenance, and disposal procedures are being practiced. During these inspections, the Township may sample and test the wastewater discharge and observe the performance of the grease trap or grease interceptor.

§ 18-514. Administration.

1. The Township shall fully utilize those powers it possesses through enabling statutes and ordinances to effect the purposes of this Part.

2. The Township may establish all administrative procedures necessary to properly carry out the provisions of this Part.

3. The Township shall employ authorized agents to carry out the provisions of this Part.

4. All permits, records, reports, files and other written material relating to the installation, operation, maintenance, and malfunction of grease traps and grease interceptors in the Township shall become the

property of the Township. Existing and future records ~~shall~~ may be available for public inspection during normal business hours at the official Township office. All records pertaining to FOG permits, building permits, occupancy permits, and all other aspects of this Part shall be made available, upon request. The Township may charge a fee for copying.

§ 18-515. Fees.

1. Fees for application, operation, enforcement, administration, and reimbursement of costs incurred pursuant to this Part by an authorized agent(s) shall be adopted by resolution by the Board of Commissioners from time to time.

- A. The Township, with the approval of the Commissioners, may establish permit fees under this Part.
- B. The fees for such permits shall be for a permit issued for a period of one year. The Township may prorate the amounts for permits with shorter durations. All permits will expire at 12:00 o'clock midnight on the date specified on the permit as determined by the Township.

§ 18-516. Violation.

1. It is unlawful for any generator to discharge into the sewer system in any manner that is in violation of this Part, or of any condition set forth in this Part. Additionally, a person commits an offense if the person causes or permits the plugging or blocking of, or otherwise interferes with or permits the interference of a grease trap or grease interceptor or the sewer system, including alteration or removal of any flow constricting devices so as to cause flow to rise above the design capacity of the grease trap or grease interceptor.

2. No person and/or existing facility shall discharge grease in excess of 100 mg/l to the sewer system unless the generator is performing best management practices. If such discharge occurs, the person or existing facility shall be considered in violation of this Part and subject to the remedies described herein. This includes nonpermitted existing facilities.

3. The authorized agent is hereby empowered to enter and inspect any premises upon which he/she has reasonable grounds to believe a violation exists. If violation of any of the provisions of this Part exists, the authorized agent shall issue written notice to be served by registered or certified mail upon the owner of such premises or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises. Such notice shall specify the condition of the violation and shall require the owner to commence to remove or otherwise rectify the offending condition within five days of notification and thereafter to fully comply with the requirements of the notice within 20 days.

4. Any persons aggrieved by a decision of an authorized agent in regard to any alleged violation may request and shall be granted a hearing before the Board of Commissioners. Such hearing shall be requested by filing a petition, in writing, stating the grounds of the petition within five days after notice of the authorized agent's decision and paying an administration fee in an amount as established from time to time by resolution of Board of Commissioners. The hearing shall commence within 45 days of filing of the petition unless postponed for good cause. After such hearing the Board of Commissioners shall sustain, modify, or overrule the action of the authorized agent.

5. The Township may immediately suspend water service when such suspension is necessary, in the opinion of the Township, in order to stop an actual or threatened discharge which:

- A. Presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment.
- B. Causes stoppages or excessive maintenance to be performed to prevent stoppages in the sewer system.
- C. Causes interference to the sewer system.
- D. Causes the Township to violate any condition of its NPDES permit.

6. Any person notified of a suspension of the water service shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with the suspension order, the Township shall take such steps as deemed necessary, including immediate termination of water service, to prevent or minimize damage to the sewer system or sewer connection or endangerment to any individuals. The Township shall reinstate the water service when such conditions causing the suspension have passed or been eliminated. A detailed written statement submitted by the generator describing the cause(s) of the harmful discharge and the measure(s) taken to prevent any future occurrence shall be submitted to the Township within 15 days of the date of occurrence.

7. Any person who violates or fails to comply with any provision of this Part, or within five days of the denial of any appeal to the Board of Commissioners, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

8. A generator is liable to the Township for any expense, loss, or damage or reasonable attorney fees occasioned by the Township for reason of appropriate clean-up and proper disposal of said wastewater materials. Additionally, an administrative fee equal to one-half of assessed clean-up costs shall be levied by the Township against the guilty party.

9. The performance by the Township of its obligations as set forth in this Part shall create no liability upon the Township, its elected and appointed officials, employees or authorized agents.

10. All reports, inspections, appraisals, certification, or records required or produced by the Township, or its authorized agents, as required by this Part, shall be for the use and benefit of the Township only and shall not be accepted, utilized, or relied upon by any other person or party by way of certification or otherwise.

SECTION 2: All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3: The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid, or unconstitutional, such provision shall not affect or impair any other remaining sections, clauses, or sentences of the same.


SECTION 4: In all other respects, Part 5 [Fats, Oils and Grease Program] of Chapter 18 [Sewers and Sewage Disposal] of the Code of Ordinances of the East Pennsboro Township shall remain as heretofore enacted, ordained, and amended, which said Chapter, as amended, is hereby re-enacted in its entirety herein.

SECTION 5: This Ordinance shall take effect immediately upon its enactment.

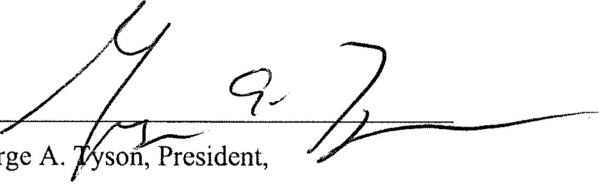
ENACTED AND ORDAINED this 1st day of *June*, 2022

ATTEST:

EAST PENNSBORO TOWNSHIP



A John Pietropaoli, Secretary

By: 

George A. Tyson, President,
Board of Commissioners