

**City of Northampton Board of Health Regulation of  
Fats, Oils, and Grease Management**

**A. Statement of Purpose:**

The purpose of this Regulation is to protect residents, businesses and the environment within the City of Northampton from blockages of the cities sanitary sewer system caused by Fats, Oils, and Grease (FOG) discharged from food service establishments in Northampton. All new and existing facilities that generate and discharge FOG in the wastewater flow shall install, operate, and maintain a FOG pretreatment system, as further defined herein. The requirements of this Regulation shall supplement, and be in addition to, the requirements of City Ordinance, Chapter 260, Massachusetts State Plumbing Code and the Massachusetts State Sanitary Code.

**B. Authority:**

This regulation is promulgated to the authority granted to the Northampton Board of Health, pursuant to M.G.L Chapter 111, Section 31, that "Boards of Health may make reasonable health regulations".

**Definitions:**

For the purpose of this regulation, the following words shall have the following meanings:

**248 CMR:** Massachusetts State Plumbing Code Regulation.

**Agent:** A duly authorized agent of the Northampton Health Department, Public Works and/or Building Department.

**Best Management Practices (BMP'S):** Schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the introduction of FOG to the sewer facilities.

**Board:** The Board of Health of the City of Northampton.

**Department:** The City of Northampton Health Department.

**Discharge Limit:** The maximum amount of FOG discharge shall not exceed 200 milligrams per liter (mg/l) of wastewater.

**Food Service Establishment:** Any facility issued a food service establishment permit by the Northampton Health Department or any facility that prepares or sells food and as a byproduct, discharges FOG into the municipal sewer system.

**Fats, Oil & Grease (FOG):** Any substance (either liquid or solid) such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.

**FOG Pretreatment System:** Refers to one of the following grease removal systems:

1. Indoor Automatic Grease Trap
2. Indoor Passive Grease Trap
3. Outdoor/Underground Grease Interceptor

**Food Grinder:** Any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing of it in the sewer system.

**Grease Trap/Interceptor:** A device, pursuant to 248 CMR, which is designed to remove undissolved and/or suspended FOG from wastewater.

A true copy

Attest: \_\_\_\_\_

  
City Clerk

**Indoor Automatic Grease Trap:** An active automatic grease trap which separates and removes FOG from effluent discharge and cleans itself of accumulated FOG at least once every twenty-four hours utilizing: (1) an electromechanical apparatus to accomplish removal, or (2) an approved automatic bioremediation grease control mechanism that suppresses or limits the formation of accumulated FOG through application of indigenous microbial nutrients.

**Indoor Passive Grease Trap:** A passive grease trap installed inside a building designed to remove FOG from flowing wastewater while allowing wastewater to flow through it. Also, known as an indoor grease trap fitted with an approved automatic bioremediation grease control system that suppresses or limits the formation of accumulated FOG through application of indigenous microbial nutrients.

**Outdoor/Underground Grease Interceptor:** A passive grease trap installed outside a building (having a capacity of 1,500 Gallons or more) designed to remove FOG from flowing wastewater while allowing wastewater to flow through it. Also, known as an outside grease trap fitted with an approved automatic bioremediation grease control system that suppresses or limits the formation of accumulated FOG through application of indigenous microbial nutrients.

**Permitted Offal/Septage Hauler:** A hauler of offal/septage substance who is licensed by the Northampton Health Department or the Northampton Department of Public Works.

**Sewer Pipe:** Any City sanitary sewer piping, including but not limited to interior and exterior building sanitary sewer piping, or any main or lateral sanitary sewer piping, regardless whether such piping is located on private or municipal land.

**Substantial Renovations:** Any renovation to a Food Establishment that would increase the number of permitted seating capacity or would alter in any way the kitchen facility.

### **C. Standards of Practice:**

All food establishments and other identified entities shall implement Standards of Practice to minimize discharge of FOG to the sewer system.

1. The Northampton Health Department or authorized representatives may at any time require the installation, upgrade and/or relocation of a FOG Pretreatment System, as deemed necessary to maintain any sewer pipe from obstructions caused by fats, oil or grease. The establishment shall be responsible for any and all costs for installing and maintaining said system.
2. Any newly built Food Establishment or those undergoing substantial renovations shall install where applicable in accordance with 248 CMR an Outdoor/Underground Grease Interceptor, with a minimum 1,500-gallon capacity, or an Indoor Automatic Grease Trap. Pretreatment systems must be sized according to the manufacturer and in compliance with 248 CMR.
3. Plumbing fixtures to be protected by grease traps and interceptors shall include;
  - a. Pot sinks (with bowl depths exceeding ten inches)
  - b. Scullery sinks (with bowl depths exceeding ten inches)
  - c. Floor drains
  - d. Floor sinks
  - e. Automatic dishwashers regardless of temperature
  - f. Pre-rinse sinks
  - g. Soup kettles or similar devices
  - h. Work stations
  - i. Automatic hood wash units
  - j. Any other fixtures or drains that call allow FOG to be discharged into the sewer
4. An Indoor Automatic Grease Trap or Indoor Passive Grease Trap shall be inspected, serviced and cleaned monthly or as needed by a professional drain cleaner, licensed plumber or Permitted Offal/Septage Hauler. The Northampton Health Department may amend the frequency for Indoor Automatic Grease Trap or Indoor Passive Grease Trap cleanings and maintenance.

5. An Outdoor/Underground Grease Interceptor shall be pumped, inspected and serviced by a Permitted Offal Septage Hauler at least every three months or at a frequency deemed necessary to prevent any potential blockage. The Northampton Health Department may amend the frequency for Outdoor/Underground Grease Interceptor cleanings and maintenance.
6. All connections to a grease removal unit shall be equipped with a proper "Flow Control Device". A Flow Control Device must conform to the requirements of 248 CMR 10.09(2)(i).
7. FOG shall not be disposed by means of a sanitary sewer. FOG shall be collected in an appropriate container from by an approved vendor, and stored on the premise in a location deemed acceptable to the Northampton Health Department. The container shall be stored on an impervious surface, such as concrete or pavement, and in a sheltered area to prevent entry of precipitation and vermin. While stored, the container must be sealed and the surrounding area kept in sanitary conditions at all times. Fats, oil and grease shall be removed by a Permitted Offal/Septage Hauler and taken away from the premises as needed.
8. All automatic electrical/mechanical grease removal and treatment units shall be sized in accordance with the manufacturers written recommendations and in compliance with 248 CMR.
9. Practice dry clean up. Scrape or dry wipe, excess grease from frying pans, pots and dishes into containers or garbage bags for disposal in a trash can or other garbage receptacle.
10. Place leftover foods, meat and vegetable trimmings, etc. in the trash can or other garbage receptacle and not down the garbage disposal.
11. Preventing spills reduces the amount of food waste that enters the wastewater system. Empty waste collection containers before they are completely full. Use a cover to transport grease trap contents to the grease barrel.
12. All staff should be aware of and trained to perform correct cleaning procedures, particularly for under-sink traps that are prone to break down due to improper maintenance.
13. Never use the toilet for disposal of kitchen wastes. Also, do not flush paper towels and other bulky paper products down the toilet. These bulky items, combined with the grease build-up will stop the flow of wastewater through private plumbing and the sewer system
14. Make sure all drain screens are installed.

#### **D. Prohibitions**

1. Sink water temperatures shall not exceed 140 degrees Fahrenheit
2. Food grinders shall not be discharged through a grease trap/interceptor.
3. The use of emulsifying agents such as solvents, acids and caustics, and other toxic and or hazardous chemicals, and petroleum products known to have uses as a declogger or degreaser is prohibited.
4. The use of bacterial or enzymatic treatments to improve discharge flow is prohibited.

#### **E. Inspections:**

The Northampton Health Department or designated agent(s) will conduct routine inspections to ensure conformance of this regulation.

1. Cleaning and maintenance records for all FOG removal and treatment systems shall be part of regular inspection of a Food Service Establishment. A Food Service Establishment inspection may be unannounced but occur during regular business hours.
2. Upon routine inspection conducted by the Department, the owner or person in charge of the food service establishment is responsible for having all grease traps and/or interceptors open for visual inspection.
3. Records pertaining to removal and treatment of FOG, as set forth below, shall be maintained by the business owner or operator within the premise of the food establishment for no less than two years. Upon request, the owner or operator shall furnish all records required to enforce and monitor compliance with this Regulation.
  - a. A grease trap maintenance log shall be kept onsite and properly maintained relative to the operation/maintenance of any FOG Pretreatment System. This log shall be readily accessible for review by the Department or designee.
  - b. All pumping and hauling records shall be properly maintained on a regular basis and readily accessible for review by the Department or designee.
  - c. Each grease trap and/or interceptor shall have its own individual maintenance log.

#### **F. Variances:**

A request to vary from the Northampton Board of Health Fats, Oil and Grease Regulation shall be submitted in writing to the Board of Health stating reason for the request. The BOH may consult the Northampton Sewer Department for the granting of variances

1. The BOH may grant a variance from the requirements of this Regulation for:
  - a. Operation and maintenance (O&M) frequencies. Any application for an O&M variance must be accompanied by a written letter from the Food Establishment's O&M contractor and system provider;
  - b. The type of FOG Pretreatment System required, or
  - c. The imposed time frame for correcting a violation
2. Any request for a variance for a Food Establishment to use an alternative method, system or product that does not comply with 248 CMR 3.00 through 10.00 must additionally apply, and receive in advance, a variance from the State Board for Plumbers and Gas Fitters pursuant to 248 CMR 3.04(2).
3. Financial hardship is not in itself proper grounds for a variance or waiver request.

#### **G. Violations:**

1. Written notice of a violation of this Regulation shall be given to the owner the permitted Food Service Establishment by a City Agent, specifying the nature of the violation, time, date of the violation, any preventive measures required to avoid future violations, and the time frame for completing any necessary corrections.
2. Any person that violates any provision of this Regulation may be fined or sanctioned, under Chapter 111 Section 31 of the Massachusetts General Laws as a civil offense. Sanctions may include the following:

First Offense:	Written warning
Second Offense:	\$100.00 fine
Third Offense:	\$250.00 fine
Fourth Offense:	\$500.00 fine

Each day or portion thereof during which a violation continues may constitute a separate offense.

3. The Board of Health may additionally order the immediate suspension or revocation of a Food Service Establishment permit for any the following reasons:
  - a. Any violation of this Regulation deemed to be of a serious nature;
  - b. Repeated violations of this Regulation;
  - c. Interference with an authorized agent in the performance of his or her duty pursuant to this Regulation;
  - d. Failure of a permit holder to comply with a written directive relative to this Regulation;
  - e. Failure to adequately maintain required records or logs pursuant to this Regulation; or
  - f. Keeping or submitting any misleading or false record, log or document required by this Regulation.

#### **H. Hearing:**

The person or persons, to whom any order or notice is issued pursuant to this Regulation, may request a hearing before the BOH. Such request shall be in writing and shall be filed in the office of the Northampton Health Department within seven (7) days after receipt of an order or notice.

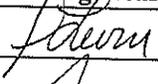
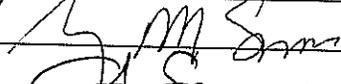
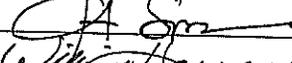
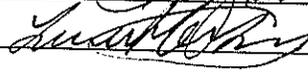
#### **I. Severability:**

If any word, clause, phrase, sentence, paragraph, or section of this Regulation shall be declared invalid for any reason whatsoever, that portion shall be severed and all other provisions of the Regulation shall remain in full force and effect.

#### **J. Effective Date:**

This Regulation was adopted by vote of the Board of Health on April 16, 2015. Following public notification, this Regulation shall become effective on July 1, 2015.

Signatures:

Name	Signature	Date
Joanne Levin, MD, Chair		6.27.19
Suzanne Smith, MPH, MD		6-27-19
Cynthia Suopis, PhD		6-27-19
William Hargraves		6-27-2019
Laurent Levy, PhD		June 27, 2019

A public hearing was held on: April 16, 2015

Amendment made on June 27, 2019, to omit Section (D)(2) Prohibiting dishwashers to discharge through an internal grease trap without prior approval from the Northampton Health Department

I, Merredith O'Leary, certify that the above Regulation passed in a meeting of the Board of Health held on June 27, 2019.

Attest: Meredith A. O'Leary, Director of Public Health

I, Pamela L. Powers, certify that the above regulation was received in the City Clerk's office on July 1, 2019

Attest: Pamela L. Powers, City Clerk