

This DRAFT of the FOG Control Ordinance (dated May 11, 2015) is being posted for Public Comment. It is NOT the final version to be submitted to the EPA on June 4, 2015, nor should it be construed to be the final version if public comments are not received. The Department will continue to update the rule as required to comply with the EPA Consent Decree (Case: No. 1:12-cv-24400-FAM).

Strike-thru Text ~~[[ text ]]~~ are deletions and underlined text >>text<< is new/proposed language.

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## Sec. 24-5. Definitions

>>Accelerated FOG maintenance shall mean cleaning performed by utilities to prevent sanitary sewer overflows caused by FOG blockages in sewer laterals, gravity mains, pump stations, and air release valves.

Back of the House shall mean all areas where food is stored, processed, cooked, prepared, and assembled and cleanup areas. It does not include offices, dry storage or front of the house areas.

Best Management Practices shall mean a schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or minimize pollution.

Black grease shall mean any FOG commingled with septic wastes (bathroom wastes).

Brown Grease shall mean FOG waste collected in, or removed from, a FOG control device.

Building Sewer shall mean the part of the building drainage system that extends from the end of the building drain and conveys the discharge to utility or non-utility owned or operated sanitary sewer system.

Building Sanitary Drains shall mean the pipes intended to receive sanitary wastewater and effluent from FOG control devices where FOG control devices are installed or required. FOG or food waste shall not be discharged into the building sanitary drains.

Dishmachine shall mean equipment used to sanitize and does not actually wash the items put inside.

Dishwasher shall mean equipment that washes and sanitizes.

Fats, Oil and Grease (FOG) shall mean any substance such as vegetable or animal product used in, or a byproduct of, the cooking or food preparation process, which turns or may turn viscous or solidifies with a change in temperature or other conditions.

FOG Capacity Limit shall mean the combined FOG and solids depth equal to twenty-five (25) percent of the design hydraulic depth in any location of a FOG control device designed pursuant to Chapter 64E-6, Florida Administrative Code, or seventy-five (75) percent of the rated FOG and solids capacity established by third party certification.

FOG Control Device shall mean equipment designed to remove, hold and prevent the passage of FOG to onsite sewage treatment and disposal systems and sanitary sewer systems. FOG control devices include grease traps and grease interceptors.

FOG Control Device Operator shall mean a person or entity which has management control for FOG control devices which serve other FOG generators.

FOG Generator shall mean any nonresidential facility, including, but not limited to, restaurants, bakeries, hotel and cafeteria kitchens, commercial kitchens, kitchens serving hospitals, nursing homes, daycares, assisting living facilities and other healthcare facilities, processing plants or such other nonresidential facilities that can introduce food waste or FOG into building sanitary drains, building sewers, onsite sewage treatment and disposal systems, or non-utility or utility sanitary sewer system. A FOG generator also includes those facilities that produce yellow grease.

FOG Generator Certified Staff shall mean a FOG generator employee which has attended training prescribed by the Director or Director's designee.

FOG Liquid Waste Transporter Certified Staff shall mean a FOG Liquid Waste Transporter employee which has attended training prescribed by the Director or Director's designee.

FOG Operating Permit shall mean an operating permit issued to FOG generators or FOG control device operators pursuant to Sections 24-18 and 24-42.6.

FOG Sampling Point shall mean an accessible location for sampling the effluent of a FOG control device.

Front of the House shall mean all areas not included in the back of the house.

60 Grease Interceptor shall mean a FOG control device connected to a building grease waste  
61 drain.

62 Grease Trap shall mean a FOG control device located between one or more fixtures (e.g.,  
63 three-compartment sink) and a building sanitary drain or grease waste drain. A grease trap does  
64 not receive waste from a building grease waste drain and can be located above or below  
65 ground.

66 Grease Waste Drains shall mean the pipes intended to receive FOG and food waste. They  
67 convey the discharge to solids separators and FOG control devices.

68 Interceptor Monitoring Alarm shall mean a system and its components capable of monitoring  
69 floating and settled solids on a regular interval. The system shall trigger a visual and audible  
70 alarm at a set point of twenty-five (25) percent or less. This shall be measured as the sum of  
71 floating and settled solids divided by the vertical distance measured from the bottom of the  
72 interceptor to the invert of the influent drain line.

73 Interceptor Monitoring Device shall mean a system and its components capable of monitoring  
74 floating and settled solids on a regular interval, triggering a visual and audible alarm at a set  
75 point of twenty-five (25) percent or less, measured as sum of floating and settled solids divided  
76 by the vertical distance measured from the bottom of the interceptor to the invert of the influent  
77 drain line, and reporting data electronically to the Department at a frequency and format  
78 approved by the Director or Director's designee.

79 Residential FOG Source shall mean a residential kitchen that can introduce food waste or FOG  
80 into a building drain, building sewer, onsite sewage treatment and disposal system, or non-utility  
81 or utility sanitary sewer system.

82 Solids Separator shall mean a separator intended to capture solids and allow grease to pass  
83 through. It is installed at the source or on the grease waste drains prior to a grease trap or  
84 grease interceptor.

85 Third Party Certified shall mean a certification by an independent entity that specific equipment  
86 or devices have been tested and meet or exceed standards established by the certifying entity.  
87 The certifying entity shall be recognized by the Director or Director's designee and can include,  
88 but not limited to, the American Society of Mechanical Engineers (ASME), Plumbing and  
89 Drainage Institute (PDI) or Canadian Standards Association (CSA).

Wash-Down Area shall mean an area where FOG generators wash the back of the house mats or equipment that is not part of the back of the house.

Yellow Grease shall mean FOG generated as a byproduct from cooking or food preparation that is not mixed with water, wastewater or other waste.<<

#### **Sec. 24-18. Operating permits**

(A) *Permit Required.* No person shall operate, maintain or permit, cause, allow, let or suffer the operation or maintenance of a public water system, public sewerage system, a location where a site rehabilitation action has been completed in accordance with the provisions set forth in **Section 24-44(2)(k)(ii)** or any of the following facilities, all of which will reasonably be expected to be a source of air pollution, ground pollution or water pollution, without a valid operating permit issued by the Director or the Director's designee or in violation of any condition, limitation or restriction which is part of an operating permit:

(1) Interim package sewage treatment plants;

\* \* \*

(18) ~~[[Any nonresidential facility, including, but not limited to, restaurants, bakeries, hotel and cafeteria kitchens, processing plants or such other nonresidential facilities discharging into a publicly or privately owned or operated sanitary sewer collection system, if oil and grease can be introduced into a sewer by such nonresidential facility in quantities which have the potential to affect or hinder the operation of sewage collecting, transmission or treatment facilities]]. >>~~FOG generator discharging to a utility or non-utility owned or operated sanitary sewer collection system or onsite sewage treatment and disposal system located in the basic wellfield protection area of any utility or non-utility potable water supply wells. Refer to Section 24-42.6(8) for FOG generator operating permit requirements.<<

\* \* \*

(21) >>FOG Liquid Waste Transporter<<

(22) >>Liquid Waste Transporter<<

123 (23) >>FOG, Yellow Grease, Brown Grease, or other Grease Storage, Transfer or  
124 Treatment facility<<

125 (24) >>FOG Control Device Operator<<

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**Sec. 24-42.3. Certification of sanitary sewer system collection, transmission and treatment capacity.**

(1) Notwithstanding any provision of this Code, no county or municipal officer, agent, employee or board shall approve, grant or issue any building permit, certificate of occupancy, certificate of use (except for changes in ownership) or municipal occupational license (except for changes in ownership) for any land use served or to be served by a utility or non-utility owned or operated wastewater collection and transmission system until the county or municipal officer, agent, employee or board has obtained the prior written unconditional approval or prior written conditional approval of the Director or the Director's designee. Notwithstanding any provision of this Code, no person shall construct, utilize, operate, occupy or cause, allow, let, permit or suffer to be constructed, utilized, operated or occupied any land use served or to be served by a utility or non-utility owned or operated wastewater collection and transmission system until the person has obtained the prior written unconditional approval or the prior written conditional approval of the Director or the Director's designee.

\* \* \*

(3) No new additional sewage flows shall be authorized for any sanitary sewer basin, sewage pump station, or system pursuant to Section 24-42.3 unless and until:

(a) The official responsible for issuing certificates of occupancy, certificates of use or equivalent municipal occupational licenses provides a monthly report that identifies projects that have been issued a certificate of occupancy, certificate of use or an equivalent municipal occupational license that have also received a conditional or unconditional written approval, and

(b) All actions or reports required by Section 24-42.2 >>and Section 24-42.6(11)<< for the basin, pump station, or system have been completed according to the schedules required therein.

\* \* \*

159 >>**Sec. 24-42.6. Fats, Oil and Grease Control Program**

160 The intent and purpose of this section is to safeguard public health, safety and welfare, and  
161 protect the sanitary sewer collection, transmission and treatment systems by setting minimum  
162 requirements and standards for the design and operation of FOG generating facilities.

163  
164 (1) No person shall dispose of any FOG or food waste, or cause any FOG or food waste to  
165 be disposed or discharged into any stormwater drainage system, ground or groundwater,  
166 surface water, private street, public right of way, or any other location not approved by the  
167 Director or Director's designee.

168  
169 (2) No person shall dispose of any FOG, or cause any FOG to be disposed, by discharge  
170 into any onsite sewage treatment and disposal system, non-utility or utility sanitary sewer  
171 system in quantities or concentrations which have the potential to negatively affect or hinder the  
172 operation of any onsite sewage treatment and disposal system, sewage collection, transmission  
173 or treatment system, or cause a sanitary nuisance.

174  
175 (a) When a FOG generator is found to have discharged, or is discharging, FOG in quantities  
176 or concentrations which have the potential to negatively affect or hinder the operation of  
177 an onsite sewage treatment and disposal system, a sewage collection, transmission or  
178 treatment system, or cause a sanitary nuisance, the FOG generator shall immediately  
179 cease and desist from discharging FOG in such quantities or concentrations. The FOG  
180 generator shall submit a corrective action plan to the Department within thirty (30) days  
181 of the date the Director or the Director's designee determines that the FOG generator  
182 discharged FOG in such quantities or concentrations. The corrective action plan shall  
183 include equipment, process or procedure modifications proposed to prevent discharging  
184 FOG in such quantities or concentrations. Until the corrective action plan is approved by  
185 the Director or Director's designee, and implemented in accordance with the Director or  
186 Director's designee approval, the FOG generator shall take all necessary actions to  
187 prevent discharging FOG in such quantities or concentrations.

188  
189 (b) When a FOG residential source is found to have discharged, or is discharging, FOG in  
190 quantities or concentrations which have the potential to negatively affect or hinder the  
191 operation of an onsite sewage treatment and disposal system, a sewage collection,

192 transmission or treatment system, or cause a sanitary nuisance, the FOG residential  
193 source shall immediately cease and desist from discharging FOG in such quantities or  
194 concentrations.

195  
196 (i) When a FOG residential source is located in an apartment building or condominium,  
197 the building manager, association or other responsible party shall submit a corrective  
198 action plan to the Department within thirty (30) days of the date the Director or the  
199 Director's designee determines that the FOG residential source discharged FOG in  
200 such quantities or concentrations.

201  
202 (ii) The corrective action plan shall include equipment, process or procedure  
203 modifications proposed to correct the FOG discharge.

204  
205 (iii) Until the corrective action plan is approved by the Director or Director's designee,  
206 and implemented in accordance with the Director or Director's designee approval,  
207 the building manager, association or other responsible party shall take all necessary  
208 actions to prevent discharging FOG in such quantities or concentrations.

209  
210 (3) Existing FOG generators with a current FOG operating permit issued prior to the  
211 effective date of this Section (or use specific date), not proposing to increase seating capacity,  
212 dining area or drive thru capacity, or other modification, any of which will increase the discharge  
213 of FOG waste, shall comply with the following:

214  
215 (a) Where there is an existing FOG control device and sampling point. The sampling point  
216 shall be located after the point of no further treatment and shall be directly accessible for  
217 visual inspection and sampling.

218  
219 (b) Where there is no FOG control device, plans shall be submitted to the Department for  
220 the installation of a FOG control device, and shall install a FOG control device in  
221 accordance with plans approved by the Director or Director's designee, within ninety (90)  
222 days of the date the Director or the Director's designee determines that there is no FOG  
223 control device. Until a FOG control device is installed, the FOG generator shall take all  
224 necessary actions to prevent discharging FOG to the building sanitary drains and to  
225 prevent causing a sanitary nuisance.



- 226
- 227 (c) Where the discharge from a FOG control device exceeds effluent standard in Section
- 228 24-42.4, or causes the accumulation of FOG in building sanitary drains or building
- 229 sewer, the FOG control device shall be repaired, upgraded or replaced within ninety (90)
- 230 days of the date the Director or the Director's designee determines that Section 24-42.4
- 231 effluent standards have been exceeded or FOG has accumulated in building sanitary
- 232 drains or building sewer.
- 233
- 234 (d) Where there is no sampling point or the existing sampling point is not accessible for
- 235 inspection or adequate for sampling, a new sampling point shall be installed within thirty
- 236 (30) days of the date the Director or the Director's designee determines that there is no
- 237 sampling point or the existing sampling point is not accessible or adequate for sampling.
- 238
- 239 (e) Where a FOG control device or sampling point are required to be repaired, replaced or
- 240 installed, plans shall be submitted to the Department for review and approval. New FOG
- 241 control devices shall be designed pursuant to Section 24-42.6(7).
- 242
- 243 (f) FOG generators shall comply with their current FOG generator operating permit conditions
- 244 until the permit expires, thereafter FOG generators shall comply with permit conditions based
- 245 on Section 24-42.6(8) requirements.
- 246
- 247 (4) Existing FOG generators and FOG control device operators that do not hold a valid FOG
- 248 operating permit issued prior to the effective date of this Section (or use specific date), that
- 249 discharge to a utility or non-utility owned or operated sanitary sewer system, shall comply with
- 250 the following:
- 251
- 252 (a) Within sixty (60) days of the date the Director or the Director's designee determines that
- 253 the FOG generator or FOG control device operator does not have a valid FOG operating
- 254 permit, submit as-built plans prepared by a licensed plumber or Florida Professional
- 255 Engineer that demonstrate:
- 256
- 257 (i) All existing back of house fixtures discharge to existing FOG control devices and
- 258 not directly to the building sanitary drains or building sewers.
- 259

260 (ii) Existing FOG control devices comply with Section 24-42.6(7).

261  
262 (iii) A sampling point is located after the point of no further treatment and is directly  
263 accessible for visual inspection and sampling.

264  
265 (iv) Existing yellow and brown grease storage areas prevent the release of FOG to  
266 ground, groundwater, surface waters or storm sewers.

267  
268 (v) Existing mat and equipment wash-down areas prevent the release of FOG to  
269 ground, groundwater, surface waters or storm sewers and prevent inflow of  
270 stormwater.

271  
272 (b) Within five (5) days of the date the Director or the Director's designee approves the as-  
273 built plans, submit a FOG operating permit application pursuant to Sections 24-18(A)(18)  
274 and 24-42.6(8).

275  
276 (c) FOG generators or FOG control device operators that cannot comply with Sections 24-  
277 42.6(4)(a) shall submit construction plans, within ninety (90) days of the date the Director  
278 or the Director's designee determines that the FOG generator or FOG control device  
279 operators does not have a valid FOG operating permit, to upgrade the facility pursuant to  
280 Section 24-42.6(5). The facility upgrade shall be completed within 90 days of the date  
281 the Director or the Director's designee approves the construction plans.

282  
283 (5) Notwithstanding any provision of this Code, no county or municipal officer, agent,  
284 employee or board shall approve, grant or issue any building permit, certificate of occupancy,  
285 certificate of use or municipal occupational license for a FOG generator until prior written  
286 approval of the Director or the Director's designee has been obtained. Furthermore, no person  
287 shall construct, utilize, operate, occupy or cause, allow, let, permit or suffer to be constructed,  
288 utilized, operated or occupied any FOG generator until prior written approval of the Director or  
289 the Director's designee has been obtained.

290  
291 (a) For new FOG generators discharging to a utility or non-utility owned or operated sanitary  
292 sewer collection system or to an onsite sewage treatment and disposal system located  
293 in the basic wellfield protection area of any utility potable water supply wells, the Director

or the Director's designee shall not issue a written approval until the Director or the Director's designee finds that:

(i) Construction plans comply with Section 24-42.6(6).

(ii) FOG control devices have been inspected and found to be in compliance with Section 24-42.6(7) and with construction plans pursuant to 24-42.6(5)(a)(i). Compliance with approved plans shall be determined by construction inspection. Persons performing construction inspections for FOG control devices shall be trained to perform such inspections. Training shall be prescribed by the Director or the Director's designee.

(iii) FOG operating permit applications shall be submitted pursuant to Sections 24-18 (A)(18) and 24-42.6 (8).

(b) For existing FOG generators discharging to a utility or non-utility owned or operated sanitary sewer system or discharging to an onsite sewage treatment and disposal system located in the basic wellfield protection area of any utility potable water supply wells, proposing to increase seating capacity, dining area or drive thru capacity, or other modification any of which will increase the discharge of FOG, the Director or the Director's designee shall not issue a written approval until the Director or the Director's designee finds that the proposed increased seating capacity, dining area or drive thru capacity, or other modification any of which will increase the discharge of FOG, complies with Section 24-42.6 (5)(a).

(c) On or before March 1, 2018, FOG generators discharging to a utility or non-utility owned or operated sanitary sewer system or onsite sewage treatment and disposal system located in the basic wellfield protection area of any utility potable water supply wells that are not subject to 24-42.6 (5)(a) or (b), shall comply with the following requirements:

(i) All back of the house fixtures and other fixtures, including wash-down areas, which can discharge food waste or FOG, shall be connected to a FOG control device that complies with Section 24-42.6 (7).

- 328 (ii) A sampling point shall be located after the point of no further treatment. The  
329 sampling point shall be directly accessible for visual inspection and sampling.  
330
- 331 (iii) Yellow and brown grease storage areas and wash-down areas shall be designed  
332 to prevent the release of FOG or wash-water to ground, groundwater, surface  
333 waters or storm sewers.  
334
- 335 (iv) Solids separation shall be provided prior to existing or proposed FOG control  
336 devices that require a flow control device.  
337
- 338 (v) Solids separation shall be provided prior to existing or proposed FOG control  
339 devices that are not certified to handle solids.  
340
- 341 (vi) Sanitary wastes from bathrooms and stormwater shall not discharge to grease  
342 waste drains, solids separators or FOG control devices.  
343
- 344 (vii) Certification shall be in a form prescribed by the Director or the Director's designee  
345 and prepared by a professional engineer or master plumber, attesting to  
346 compliance with Sections 24-42.6(5)(c)(i) through (vi) above. Furthermore,  
347 confirmation of compliance with Section 24-42.6(7) shall be signed and sealed by a  
348 Florida professional engineer.  
349
- 350 (viii) Where the existing FOG control device was approved pursuant to Section 24-  
351 42.6(7), certification of Section 24-42.6 (5)(c)(i) shall not be required.  
352
- 353 (6) Construction Plans. Where required in Section 24-42.6, plans for FOG generators shall  
354 include the following minimum information:  
355
- 356 (a) Plans are signed and sealed by a Florida Professional Engineer.  
357
- 358 (b) All existing and proposed back of the house and front of the houses areas and drive-thru  
359 lanes are shown and labeled.  
360

- (c) All existing and proposed drainage pipes, fixtures, solids separators, FOG control devices and sampling points are shown and labeled. All drainage pipes that receive or can receive waste from back of the house fixtures, and other fixtures that can discharge food waste or FOG, shall be labeled grease waste drains or GW. Back of the house fixtures include floor drains, floor sinks, trough drains, mop sinks, three-compartment sinks, hand sinks, pre-rinse station/sink, preparation sink, pot sink, wok sink, self-cleaning kitchen exhaust hoods, and any and all fixtures, appurtenances and equipment that have the potential to introduce food waste or FOG into drainage pipes. Where multiple users/tenant spaces connect to a common FOG control device, the plans shall include all users/tenant spaces.
- (d) Screens are shown and labeled in all sinks and drains.
- (e) All grease waste drains are connected to a FOG control device that complies with Section 24-42.6(7).
- (f) FOG control device plan, profiles, sections and details are shown to scale and labeled. FOG control devices shall be accessible for cleaning pursuant to Section 24-42.6(8).
- (g) The point of wastewater discharge for kiosk and booths are shown and labeled. The point of discharge shall be a grease waste drain or FOG control device sized for the quantity of waste generated. All waste containers shall be shown on plans.
- (h) FOG control device sizing calculations and assumptions, including peak flow rate, temperature, FOG and solids loading rates, and frequency of FOG and solids removal are shown and labeled. Where the FOG control device will serve multiple users/tenants, each user/tenant shall be identified and their flows and loading rates shall also be included on the plans. Loading rates shall include waste from food preparation and cleaning associated with eat-in, take-out and drive-thru meals. FOG loading shall include all FOG sources, including kitchen exhaust hoods. For self-cleaning kitchen exhaust hoods, the manufacturer's specifications for peak discharge shall be included.
- (i) FOG control device model numbers and third party certifications are shown and labeled.

- (j) State Health Office's designated approval/tank numbers for grease interceptors designed in accordance with 64E-6, Florida Administrative Code, are shown and labeled.
- (k) For concrete precast FOG control devices, the precast concrete plant name and precast concrete plant certifying agency accepted by the Florida Department of Transportation are shown and labeled accordingly. Site cast FOG control devices are not permitted.
- (l) Dishmachines are not required to be connected to a FOG control device where washing and rinsing are performed in a two (2) or three (3) compartment sink and the dishmachine connects to grease waste drain prior to a sampling point. Dishwashers with dedicated soiled-dish table or pre-rinse station, where all food solids and liquids are removed, are not required to be connected to a FOG control device when connected to a grease waste drain prior to a sampling point. All other dishwashers shall be connected to a FOG control device sized to account for emulsified grease.
- (m) At least one (1) sampling point located after the point of no further treatment shown and labeled. The sampling point shall be directly accessible for visual inspection and sampling.
- (n) Isometric diagrams showing all existing and proposed plumbing pipes, fixtures, solids separators, FOG control devices and sampling points shown and labeled. Grease waste drains shall be labeled grease waste drain or GW.
- (o) Locations and details for all stored waste, including yellow and brown grease, are shown and labeled accordingly. Storage areas shall be designed to prevent the release of FOG to ground, groundwater, surface waters or storm sewers. Storage containers shall be identified by waste type and capacity in gallons; and sized to prevent overfilling. All storage containers shall have a lid that prevents rainwater inflow and that can be locked to prevent vandalism.
- (p) Locations and details for all wash-down areas are shown and labeled accordingly. All wash-down areas shall be designed to prevent the release of wash-water and FOG to ground, groundwater, surface waters, storm sewer or any other location not approved by

the Director or Director's designee. Where mat and equipment wash-down is to be performed in a mop sink, the mop sink shall be sized and labeled accordingly.

(q) Solids separation is provided prior to existing or proposed FOG control devices that require a flow control device or that are not certified to handle solids.

(r) Access is provided for cleaning of food solids and congealed grease in grease waste drains where the horizontal run from the source of food waste and FOG is greater than twenty-five (25) feet from the solids separator or FOG control device. Access points shall not be greater than twenty-five (25) feet, measured center-to-center. Location of access points and details for access point shall be provided in drawings. Where the horizontal run from the source of food waste and FOG is greater than one hundred (100) feet, plans shall include provisions for preventing clogging by congealed FOG. Where the FOG control device is located at a remote location, it shall be equipped with a functional Interceptor Monitoring Alarm or Device. Remote locations include a different floor or horizontal distance exceeding one hundred (100) feet from the back of the house area.

(s) Sanitary wastes from bathrooms and stormwater are not discharged into grease waste drains, solids separators or FOG control devices.

(7) FOG Control Device Sizing. Where required in Section 24-42.6, FOG control devices shall be sized for all intended users, facilities and tenants using one of the following criteria and approved by the Director or Director's designee:

(a) Calculations prepared by a Florida Professional Engineer demonstrate that the FOG effluent concentration is equal to or less than the oil and grease sanitary sewer discharge limitation and pretreatment standard referenced in Section 24-42.4. Calculations shall include peak flow rate; temperature and temperature driven flow patterns; rising and settling velocities; short-circuiting induced by inlet, baffle and outlet effects and velocity distribution; FOG and solids loading rate; and frequency of FOG and solids removal, or

(b) Calculations prepared by a Florida Professional Engineer that include projected peak flow rate, temperature, FOG and solids loading rates, proposed frequency of FOG and

solids removal; and third party certification of maximum FOG containment capacity and effluent concentration. The certified effluent concentration shall be equal to or less than the oil and grease sanitary sewer discharge limitation and pretreatment standard referenced in Section 24-42.4; or

(c) Calculations prepared by a Florida Professional Engineer that include projected peak flow rate, five (5)-minute hydraulic detention time temperature, FOG and solids loading rates, proposed frequency of FOG and solids removal, and third party certification of FOG removal efficiency and containment capacity; or

(d) Chapter 64E-6, Florida Administrative Code, provided that the total wet volume, minus the maximum volume of waste stored between cleaning cycles, is the greater of the following:

(i) Seven hundred and fifty (750) gallons; or

(ii) Volume calculated based on Chapter 64E-6; or

(iii) Volume calculated by multiplying the projected peak flow, in gallons per minute (gpm), by thirty (30) minutes retention time. Peak flow shall not be less than the flow rate calculated by dividing the number of drainage fixture units (DFUs) by the appropriate factor below.

<u>Nominal pipe size in</u> <u>inches</u>	<u>DFU/gpm</u>
<u>3</u>	<u>0.8</u>
<u>4</u>	<u>1.7</u>
<u>5</u>	<u>2.1</u>
<u>6</u>	<u>2.3</u>
<u>8</u>	<u>2.4</u>



(8) Operating Permits for FOG Generators and FOG Control Device Operators. No person shall operate, cause, allow, let or suffer the operation of a FOG generating facility or FOG control devices serving FOG generators without a valid FOG operating permit issued by the Director or the Director's designee or in violation of any condition, limitation or restriction which is part of a FOG operating permit. FOG operating permits are valid for up to one year, expire December 31 of each year, and shall be renewed annually by January 1 of each calendar year.

(a) Applications for new FOG generators and new FOG control device operators and renewals of same shall be in a form prescribed by the Director or Director's designee. When the FOG operating permit applicant is a tenant, the application shall be completed and signed by the tenant and property owner. The owner's section of the application shall include a statement that the property owner is responsible for the proper closure of a FOG generator pursuant to Section 24-42.6(8)(c)(vi).

(b) Renewal applications shall include a certification form, which is prescribed by the Director or the Director's designee. Said form shall be prepared by a professional engineer or licensed plumber, attesting that the existing FOG control devices are functioning as designed and are in good working order. Where required in this Section, the renewal shall also include training certificates for staff trained pursuant to Section 24-42.6(8)(c)(iv).

(c) Operating permits for new FOG generators and new FOG control device operators discharging to a utility or non-utility owned or operated sanitary sewer system or an onsite sewage treatment and disposal system located in the basic wellfield protection area of any utility potable water supply wells shall include the following:

(i) Best management practices. The Director or Director's designee shall maintain a list of approved best management practices and update the list annually or as required.

(ii) Maintenance of all FOG control devices. All FOG control devices and equipment shall be serviced to function properly and continuously to prevent the discharge of FOG into building sanitary drains, building sewers, utility or non-utility owned or operated sanitary sewer systems, and onsite sewage treatment and disposal

systems. Where cleaning of FOG control devices is required in Section 24-42.6, cleaning shall include the complete removal of the full contents of the FOG control device, including settled solids, wastewater and floating materials. Side walls, baffle walls, cross-pipes, and inlet and outlet pipes shall be pressure washed or scrapped to remove all attached materials. Decanting, skimming, or backflushing is prohibited. Emulsifiers, grease cutters or other chemicals or detergents which could cause FOG to pass through the system to the building sanitary drains or building sewers are prohibited and shall not be used. At a minimum, the following maintenance shall be performed:

1. *Grease Waste Drains, Building Sanitary Drains and Building Sewers.* When jetting, rodding or other cleaning activities are required, FOG shall not be flushed, discharged, conveyed or allowed to pass through to utility or non-utility owned or operated sanitary sewer systems or onsite sewage treatment and disposal systems. All FOG shall be collected and transported by a liquid waste transporter, permitted by the Department, to an approved disposal facility.

2. *Kitchen Exhaust Hoods.* All waste generated by manual hood cleaning shall not be flushed, discharged, conveyed or allowed to pass through to utility or non-utility owned or operated sanitary sewer systems or onsite sewage treatment and disposal systems. All wastes shall be collected and transported by a liquid waste transporter, permitted by the Department, to an approved disposal facility. Where a hood is designed to be self-cleaning, the FOG control device shall be designed for the maximum cold water and hot water flow rates. Where a surfactant/detergent is used, the FOG control device shall be sized to provide sufficient detention time to allow FOG waste separation so that the effluent does not exceed the standards set forth in Section 24-42.4.

3. *Solids Separators.* Where installation of a solids separator is required or approved pursuant to Section 24-42.6(5), solids separators shall be serviced to function as designed and shall not be missing or have defective elements or components that reduce its ability to separate solids. All solids separators shall be visually inspected daily to prevent excessive accumulation and discharge of food solids to FOG control devices, building sanitary drains, building sewers,

556 utility or non-utility owned or operated sanitary sewer systems, or onsite  
557 sewage treatment and disposal systems. Solids shall be properly discarded as  
558 solid waste or removed by a liquid waste transporter permitted by the  
559 Department.  
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562 4. Grease Traps. Cleaning of grease traps shall be performed as follows:

563  
564 a. Automatic grease traps shall be cleaned by a liquid waste transporter,  
565 permitted by the Department. Automatic grease traps shall be cleaned  
566 monthly or more frequently so that the FOG capacity limit or effluent  
567 standards in Section 24-42.4 are not exceeded. The contents of the  
568 strainer/screen and automatic storage receptacles shall be emptied by the  
569 FOG generator on a daily basis and transferred to waste containers  
570 intended and approved for such use to prevent overfilling or spills. If at any  
571 time the automatic elements or components do not function as intended  
572 and designed, the malfunctioning automatic grease trap shall be operated  
573 and reported as a manual grease trap and cleaned by a liquid waste  
574 transporter, permitted by the Department, on a daily basis until the system  
575 is repaired. In no instance shall the automatic grease trap operate as a  
576 manual grease trap for more than thirty (30) days or cause a sanitary  
577 nuisance at any time. If the automatic grease trap is not repaired within  
578 thirty (30) days, it shall be replaced. Plans for replacement shall be  
579 reviewed and approved by the Director or Director's designee pursuant to  
580 Section 24-42.6 (7).

581  
582 b. Manual grease traps shall be cleaned by a liquid waste transporter,  
583 permitted by the Department, monthly or more frequently so that the FOG  
584 capacity limit or effluent standards in Section 24-42.4 are not exceeded.  
585 The FOG generator shall remove floating materials and settled solids on a  
586 daily basis and transfer the waste to containers intended and approved for  
587 such use to prevent overfilling or spills.

588  
589 5. Grease Interceptors. Cleaning of grease interceptors shall be performed as  
590 follows:

591  
592 a. Grease interceptors shall be shall be cleaned by a liquid waste transporter,  
593 permitted by the Department, bimonthly (every two (2) months) or more

frequently so that the FOG capacity limit or effluent standards in Section 24-42.4 are not exceeded.

b. Grease interceptors equipped with a functional Interceptor Monitoring Device shall be cleaned by a liquid waste transporter, permitted by the Department, so that the FOG capacity limit or effluent standards in Section 24-42.4 are not exceeded. In no instance shall the cleaning interval exceed one hundred and eighty (180) days.

c. Grouped grease interceptors, in parallel or series, shall all be cleaned by a liquid waste transporter, permitted by the Department, bimonthly (every two months) or more frequently so that the FOG capacity limit or effluent standards in Section 24-42.4 are not exceeded. Where functional Interceptor Monitoring Devices are used, all grease interceptors shall be cleaned by a liquid waste transporter, permitted by the Department, so that the FOG capacity limit or effluent standards in Section 24-42.4 are not exceeded. In no instance shall the cleaning interval exceed one hundred and eighty (180) days.

d. Yellow and Brown Grease storage areas shall be maintained free of debris and storage containers shall not be overfilled. Storage containers shall be visually inspected daily and emptied before they reach ninety percent capacity. Spills shall be contained and cleaned using absorbent materials. Wet cleanup methods shall not be used. Storage container lids shall be maintained to prevent rainwater inflow and locked to prevent vandalism.

e. Mat and Equipment Wash-Down Areas shall be maintained free of debris and wash-water shall not be released to ground, groundwater, surface waters, storm sewer or any other location not approved by the Director or Director's designee. Wash-down areas shall not allow stormwater or rainwater to enter the building sanitary drains, building sewers, utility or non-utility owned or operated sanitary sewer systems, or onsite sewage treatment and disposal systems.

628 (iii) Record Keeping. Each FOG generator and FOG control device operator shall  
629 maintain records of maintenance and repair activities, service calls and staff  
630 training. All records shall be retained onsite for a period of not less than three years  
631 and made available onsite to Department staff upon request. Offsite records shall  
632 not be an acceptable substitute for onsite records. At a minimum, each FOG  
633 generator and FOG control device operator shall maintain the following records  
634 using forms prescribed by the Director or Director's designee.

635  
636 1. Scheduled and unscheduled service calls to clean grease waste drains,  
637 building sanitary drains, or building sewers.

638  
639 2. Repairs required resulting from food or FOG accumulation or blockages.

640  
641 3. Kitchen exhaust hood cleaning.

642  
643 4. FOG control device cleaning, maintenance and repair.

644  
645 5. Waste manifest forms pursuant to Sections 24-42.6(9) and 24-46.

646  
647 6. Staff training records pursuant to Section 24-42.6(8)(c)(iv).

648  
649 (iv) Training Requirements. Each FOG generator and FOG control device operators  
650 shall maintain trained staff to ensure compliance with the requirements of Section  
651 24-42.6(8). The content and form of training shall be prescribed by the Director or  
652 Director's designee. Training shall include orientation of new employees and  
653 quarterly training of existing employees. On or before January 1, 2018, each FOG  
654 generator and FOG control device operator shall have one (1) trained person on  
655 staff which has working knowledge of the following where applicable:

656  
657 1. Kitchen exhaust hoods.

658  
659 2. Solids separators.

660  
661 3. FOG control devices.

- 662
- 663 4. Best management practices.
- 664
- 665 5. Yellow and brown grease storage.
- 666
- 667 6. Mat and equipment wash-down areas.
- 668
- 669 7. Record keeping and reporting.
- 670

671 (v) Reporting. Each FOG generator and FOG control device operator shall submit

672 monthly reports to the Department using forms prescribed by the Director or

673 Director's designee. Where made available by the Department, reporting shall be

674 completed using a secure online system or by an equivalent system developed by

675 the Department. Monthly reports shall include total volume of each waste stream

676 disposed, transported or collected, the date and the name of liquid waste

677 transporter.

678

679 (vi) Closure Requirements. No more than thirty (30) days after a FOG generator

680 closes, the property owner shall notify the Department to perform a closure

681 inspection. On or before the closure inspection, the property owner shall have all

682 yellow grease containers and bins emptied, storage areas cleaned and FOG

683 control devices cleaned. Decanting, skimming, or backflushing is prohibited.

684 Emulsifiers, grease cutters or other chemicals and detergents which could cause

685 FOG to pass through the system to the drain lines are prohibited and shall not be

686 used. All waste shall be disposed at a permitted facility, using an approved liquid

687 waste transporter with manifests submitted to Department.

688

689 (d) Existing FOG generators with a current FOG operating permit, issued prior to the

690 effective date of this Section (put specific date here), proposing to increase seating

691 capacity, dining area or drive thru capacity, or other modification, any of which will

692 increase the discharge of FOG shall comply with Sections 24-42.6(5)(a) and 24-

693 42.6(8)(c).

694

- (e) FOG generators discharging to an onsite sewage treatment and disposal system located in the basic wellfield protection area of any utility potable water supply wells, proposing to increase seating capacity, dining area or drive thru capacity, or other modification, any of which will increase the discharge of FOG shall comply with Sections 24-42.6(5)(a) and 24-42.6(8)(c).
- (f) FOG generators discharging to an onsite sewage treatment and disposal system located in the basic wellfield protection area of any utility potable water supply wells, not proposing to increase seating capacity, dining area or drive-thru capacity, or other modification, any of which will increase the discharge of FOG, shall apply for an operating permit by March 1, 2018.
- (g) Any FOG operating permit approved and issued by the Department may be revoked in the event that the conditions established in Section 24-42.6, or permit conditions, are not complied with. Cause for revoking an operating permit may include, but not be limited to, the following:
- (i) Falsifying information on any record or document required by the county; or
  - (ii) Failure to have a FOG control device cleaned; or
  - (iii) Having a FOG control device cleaned by a person not permitted by the department to perform such cleaning; or
  - (iv) Utilizing a liquid waste transporter not permitted by the Department; or
  - (v) Failure to comply with any permit condition; or
  - (vi) Violation of any federal, state, or local regulation governing the handling of FOG wastes; or
  - (vii) Failure to pay any invoices, fees, or fines required by the county.



The revocation of authorization to operate shall be in addition to any penalties applied for violation of this Section.

(9) FOG Liquid Waste Transporters. Notwithstanding any provision of this Code, no person shall collect, pump, transport or cause, allow, let, permit or suffer to be collected, pumped or transported FOG, yellow grease, brown grease or black grease without a valid operating permit issued by the Department pursuant to Sections 24-18, 24-26 and 24-46. In addition to the requirements stipulated in Section 24-46, FOG liquid waste transporters shall comply with the following.

(a) All waste transported shall be manifested using forms prescribed by the Director or Director's designee. Where made available by the Department, reporting shall be completed using a secure online system or by an equivalent system developed by the Department.

(b) FOG, yellow grease and brown grease shall only be stored or disposed at private or public facilities approved by the Department.

(c) FOG control device cleaning shall include completely removing the full contents of the FOG control device, including settled solids, wastewater and floating materials, pressure washing or scraping side walls, baffle walls, cross-pipes, and inlet and outlet pipes to remove all attached materials. Decanting, skimming, or backflushing is prohibited. Emulsifiers, grease cutters or other chemicals and detergents which could cause FOG to pass through the system to the building sanitary drains or building sewers are prohibited and shall not be used.

(d) Effective January 1, 2017, liquid waste transporter staff shall be trained to ensure compliance with the requirements of Section 24-42.6(8)(c). The content and form of training shall be prescribed by the Director or Director's designee. At a minimum, one trained staff member shall be present while grease traps or grease interceptors are being cleaned. Staff performing assessments of the condition of any system or part thereof (condition assessments) stipulated in Section 24-42.6 (9) shall be trained.

- 761 (e) Effective January 1, 2017, brown grease shall not be commingled with yellow grease,  
762 septage or other waste. Producing black grease shall not be permitted.  
763
- 764 (f) Effective January 1, 2017, where made available by the Department, waste manifesting  
765 shall be completed using a secure online system or by equivalent system developed by  
766 the Department.  
767
- 768 (g) Effective January 1, 2017, liquid waste transporters shall perform FOG control device  
769 condition assessments when cleaning is required pursuant to Section 24-42.6(8)(c). The  
770 condition assessment shall be performed and reported using forms prescribed by the  
771 Director or Director's designee, including online forms where made available by the  
772 Department. At a minimum, the condition assessment shall include documenting the  
773 following:  
774
- 775 (i) The water level and thickness of floating FOG and settled solids prior to cleaning.  
776
- 777 1. Where FOG control devices are installed below ground and the water level prior  
778 to cleaning is below the invert of the outlet pipe, or groundwater infiltration is  
779 observed during or after cleaning, the condition assessment shall document  
780 leaks.  
781
- 782 2. Where FOG control devices are installed above ground and leaks are observed,  
783 the condition assessment shall document leaks.  
784
- 785 3. All leaks shall be reported to the Department within twenty-four (24) hours of  
786 being detected or observed and the FOG control device repaired within forty-  
787 eight (48) hours. Until the FOG control device is repaired, the FOG control device  
788 shall not receive any flow or be bypassed.  
789
- 790 4. Should a leak cause a sanitary nuisance, the sanitary nuisance shall be  
791 removed, abated or corrected within twenty-four (24) hours or such other  
792 reasonable time as the Director or the Director's designee may determine.  
793

(ii) Integrity of solids separators and FOG control devices, including the inlet and outlet appurtenances; interior, bottom, top, side walls, baffle walls, and cross-pipes; manhole rings, extenders and covers; sampling points and cleanouts; interceptor monitoring alarms and devices; and other elements and equipment approved by the Department.

1. Where a solids separator or FOG control device is observed to be malfunctioning so that solids or FOG are being discharged to the building sanitary drains or building sewers, the Department shall be notified within twenty-four (24) hours of the unpermitted discharge being observed and the malfunctioning device repaired within forty-eight hours.

2. In no instance shall the unpermitted discharge be permitted to continue or result in a building sanitary drain or building sanitary drain back-up or a sanitary nuisance.

(iii) All repairs performed by the liquid waste transporter.

(iv) The condition of yellow grease containers and bins.

(10) FOG Disposal Facilities. All facilities accepting, storing, transferring or treating FOG, yellow grease or brown grease shall obtain an operating permit pursuant to Section 24-18(A)(23) and comply with the following:

(a) Maintain trained staff to assure compliance with the requirements of Section 24-42.6. The content and form of training shall be prescribed by the Director or Director's designee. Training shall be completed prior to permit renewal starting January 1, 2018. At a minimum, one (1) trained person shall be present during maintenance and repair of the system and/or system components.

(b) Submit monthly reports to the Department using forms prescribed by the Director or Director's designee. Where made available by the Department, reporting shall be completed using a secure online system or by an equivalent system developed by the Department. Monthly reports shall include total volume of each waste stream accepted,

collected, stored, treated, disposed, or transported and include waste manifest for all waste transported. Waste manifest shall track waste from the point of origin to the final disposal facility.

(11) Utilities. Utilities shall submit a monthly report to the Department that includes the following minimum information:

(a) A list with dates and locations where accelerated FOG maintenance was performed to prevent a sanitary sewer overflow. Locations shall also be identified in a geographical information system (GIS) format based on the utilities atlas pursuant to Section 24-42.2.

(b) A description of accelerated FOG maintenance performed, including quantities of FOG removed, recovered, collected or treated to prevent a sanitary sewer overflow. The information shall be provided in text and GIS form.

(c) Cost of accelerated FOG maintenance, including labor, equipment and materials. Labor shall include field and office staff.<<

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