

2.0 Grease Interceptor Requirements for Food Establishments

[Regulation Adopted February 14, 2006, as Amended April 8, 2014]

2.1 Purpose

The purpose of this regulation is to protect residents, businesses, and the environment within the Town from blockages of the Town's sanitary sewer system caused by grease, kitchen oils, and other substances discharged from Food Establishments located in Town.

2.2 Definitions

Agent: Any duly authorized Agent of the Board of Health as specified under M.G.L., c. 111, sec 30, including but not limited to the Director of Public Health, the Health Agent, and the Environmental Engineer.

Building Sewer: A pipe or pipes maintained and controlled by private persons for the purpose of conveying wastewater from the any wastewater producing location to the sanitary sewer collection system.

Food Establishment: Any establishment issued a permit to operate a food establishment by the Board of Health under 105 CMR 590.000.

Grease: A material composed of fatty matter from animal or vegetable sources or hydrocarbons of petroleum origins. The terms "oil and grease" or "oil and grease substances" shall be deemed grease by definition.

Grease Interceptor: A water tight device constructed to separate and trap or hold grease from the wastewater discharged from a food establishment in order to prevent grease from entering the sanitary sewer system, also referred to as a Grease Trap or Grease Recovery Device. The grease interceptor may be an internal grease interceptor located within the facility, an external grease interceptor located outside the food establishment, or both.

Septage Handler: Any septage handler that has been issued a permit to transport septage within the Town from the Board of Health under 310 CMR 15.000.

Warewash Sink: A multi-compartment sink, usually with 3 basins, used to wash, rinse and sanitize food contact items such as utensils, dishware, and equipment.

2.3 Facilities Requiring Grease Interceptors

- A. New Food Establishments: Newly proposed, constructed, or remodeled Food Establishments must install an internal and external grease interceptor according to applicable building, plumbing and health codes. For the purpose of this regulation, a newly proposed, constructed, or remodeled food establishment is a food establishment that undergoes new construction or a complex renovation requiring the submittal of plans to the Board of Health during the plan review process as required by 105 CMR 590.011.

- B. Existing Food Establishments: Existing Food Establishments shall be required to install, modify or upgrade, an approved internal and/or external grease interceptor when the following occur:
- a. When the Board of Health or its Agent or the Town Department of Public Works determines that an establishment is discharging grease in quantities sufficient to cause sanitary sewer line blockages or to cause increased levels of maintenance of sanitary sewer lines; or
 - b. When the Board of Health or its Agent, the Town Department of Public Works, or the Town Plumbing Inspector determines that the existing grease interceptor is undersized, nonfunctional, or not properly plumbed to all internal fixtures that generate grease or oil. Upgrades and/or modifications to existing systems may require additional plumbing and must comply with 248 C.M.R §10.00.
 - c. When the Board of Health or its Agent, determines that a significant change in use and/or menu of the food establishment has occurred or will occur.
- C. New and Existing Food Establishments: Internal grease interceptors must be installed on all warewash sinks and maintained in good working order.

2.4 Grease Interceptor Design and Installation

- A. The Board of Health may at any time require the installation and/or relocation of an internal or external grease interceptor at a food establishment, as it may deem necessary to maintain any particular building sewer pipe, any lateral sewer pipe, or sewer main pipe free from obstructions caused by grease or oil emanating from a food establishment.
- B. Internal grease interceptors must comply with 248 CMR Commonwealth of Massachusetts Rules and Regulations Governing Plumbers and Gas Fitters and the Plumbing and Drainage Institute Standard, PDI-G101, with sizing requirements based on wastewater flow rates directed to the interceptor.
- C. External grease interceptors must be designed by a Massachusetts Registered Professional Engineer and sized according to 310 C.M.R §15.230 or other engineering BMP. Prior to the installation of an external grease interceptor, if sizing calculations are based on a method other than 310 C.M.R §15.230, a letter from a Massachusetts Registered Professional Engineer providing sizing calculations and estimated pump out frequency must be submitted to the Board of Health for approval by an Agent of the Board of Health.

2.5 Grease Interceptor Maintenance

All grease interceptors shall be maintained by the food establishment at the food establishment's expense. The food establishment shall conduct initial monitoring sufficient to identify the maintenance and cleaning schedules. At a minimum, internal grease interceptor(s) shall be serviced (inspected, cleaned and pumped) before the amount of grease exceeds twenty-five percent (25%) of the grease capacity of the grease interceptor or once every three (3) months, whichever comes first. At a minimum, external grease interceptors shall be serviced (inspected, cleaned, and pumped) before the amount of grease exceeds 25% of the grease capacity of the grease interceptor or once every six (6) months, whichever comes first. Written logs of inspections, cleaning and pumpings shall be

maintained in an on-site binder readily accessible to Board of Health agents for inspection upon reasonable request.

2.6 Best Management Practices

Food Establishments shall integrate best management practices to reduce grease discharged to the sewer system in addition to grease interceptor maintenance. Best management practices shall include at a minimum:

- A. Using liquid oil instead of solid grease or lard; and
- B. Dry wiping pots, pans, and dishes before putting them in the dishwasher or warewash sink; and
- C. Collecting and disposal of used grease through a licensed septage handler and prohibiting the disposal of grease down the drain, toilet, or into outdoor storm drains; and,
- D. Capturing the grease in ventilation and exhaust hoods.

2.7 Storage of Waste Grease from Food Preparation

All waste grease and other related wastes requiring storage at the food establishment as a result of removal from grease interceptors or otherwise, shall be collected and stored in appropriate container(s) in an approved location at the food establishment. Container(s) shall be stored on an impervious surface such as concrete or pavement. Containers shall be either sealed or stored in a sheltered area, and maintained to prevent entry of precipitation and animals. All waste grease and related wastes shall be removed from the food establishment only by a septage handler permitted by the Board of Health. All grease containers and surrounding areas must be kept in a sanitary condition at all times.

2.8 Disposal

All waste grease and related wastes shall be removed from the food establishment only by a septage handler permitted by the Board of Health. All material removed from grease interceptors, and hauling and disposal of grease and other related waste, shall be documented in a written log readily accessible to the Board of Health Agents for inspection upon reasonable request. The food establishment is responsible for assuring that all waste grease and related wastes are disposed of in accordance with all federal, state, and local disposal regulations.

2.9 Inspection and Record Keeping

Consistent with the laws of the Commonwealth, authorized Agents of the Board of Health shall have the right to inspect, observe, measure, sample, test, photograph, and/or review documents with respect to the grease interceptor(s) within a food establishment, at any reasonable time and without prior notification.

All records pertaining to grease interceptor inspection, maintenance, cleaning, removing, transporting and disposing of waste grease and related wastes shall be retained by the food establishment on the site for no less than two years, and shall be available upon request for review by the Board of Health or its Agent.

2.10 Penalties

Whoever violates any provision of this regulation may be penalized by

- A. A non-criminal disposition process as provided in M.G.L. c.40, § 21D and Burlington's non-criminal disposition bylaw. If non-criminal disposition is elected, then any person who violates any provision of this bylaw shall, in accordance with Section Article 1, Section 4.0, be subject to a penalty in the amount of fifty dollars (\$50.00) per day for each day of violation. Each day or portion thereof shall constitute a separate offense; and/or
- B. The Board of Health may suspend or revoke any permit to operate a food establishment issued pursuant to 105 CMR 590.000. Such revocation or suspension shall follow the procedure as outlined in 105 CMR 590.000 and/or
- C. In the alternative, or in addition to the above, these regulations may be enforced through any other means available at law as deemed appropriate by the Board of Health, including, but not limited to, civil enforcement for injunctive relief

2.11 Hearing

Any food establishment that has received an Order or notice issued pursuant to this regulation may request a hearing before the Board of Health. Such request shall be in writing and shall be submitted to the office of the Board of Health in writing so as to be received by the Board of Health within ten (10) days after receipt of the Order or notice. After said hearing, the Board of Health may affirm, modify or rescind said Order or notice or take any other action it deems warranted and appropriate.

2.12 Variance

Upon written application and public hearing, the Board of Health may in its discretion issue a variance to any permit holder that can demonstrate to the reasonable satisfaction of the Board of Health that a level of protection to the Town sanitary sewer system at least equivalent to that provided under this regulation can be achieved without strict application of the provision from which a variance is sought.

Variances from this regulation can be requested by the submittal of a complete Board of Health Variance Request Application. Variance applicants must appear in person, including any representatives and experts, at a duly noticed, public hearing held by the Board of Health and the variance application must be submitted one week prior to the hearing at which the applicant is scheduled to appear.

A variance under these regulations may be revoked, modified or suspended only after the food establishment has been notified in writing and given an opportunity to be heard at a regularly scheduled meeting of the Board of Health. Reasons for revocation, modification or suspension of a variance include, but are not limited to, a determination that the food establishment is discharging grease in quantities sufficient to cause sanitary sewer line blockages or increased maintenance of sewer lines.