

**CITY OF FREDERICKSBURG
FOG Policy
Fats, Oils, & Grease Program
January 2022**

CONTENTS

I.	INTRODUCTION	2
II.	PURPOSE	2
III.	AUTHORITY:.....	2
IV.	APPLICABILITY:	5
V.	GENERAL REQUIREMENTS	5
VI.	EXEMPTION FROM GREASE CONTROL DEVICE REQUIREMENTS	5
VII.	NEW ESTABLISHMENTS.....	6
VIII.	EXISTING ESTABLISHMENTS:	6
IX.	DESIGN, SIZING, AND INSTALLATION REQUIREMENTS FOR NEW OR REPLACEMENT GREASE INTERCEPTORS AND SEPARATORS.....	7
X.	GENERAL MAINTENANCE OF GREASE TRAPS AND INTERCEPTORS	9
XI.	WASTE GREASE DISPOSAL:.....	10
XII.	GREASE INTERCEPTOR CLEANING AND MAINTENANCE	10
XIII.	PROHIBITIONS	11
XIV.	RECORDKEEPING:	11
XV.	RIGHT OF ENTRY AND INSPECTIONS	12
XVI.	SAMPLING AND TESTING	13
XVII.	ENFORCEMENT	14
XVIII.	CITY'S PROGRAM TO IDENTIFY POTENTIAL FOG GENERATORS:	15
XIX.	KITCHEN BEST MANAGEMENT PRACTICES.....	15

I. INTRODUCTION:

Fats, oils and grease (FOG) are a significant concern for the City of Fredericksburg in the operation of the wastewater collection system. When not disposed properly, they can congeal and accumulate along the walls of the sanitary sewers and in the wet wells of sewage pumping stations. This accumulation constricts the pipes, impedes the flow of wastewater, and raises the potential for blockages, surcharges and overflows. These conditions are both environmental and public health concerns, as sewage can contaminate the ground, local bodies of water, and any property in which the wastewater contacts.

Sewage collection system problems arising from FOG impose a financial burden on the City. Fredericksburg incurs costs to perform routine monitoring and cleaning of sewers, manholes and wet wells, and response costs to alleviate and clean-up FOG-caused surcharges, backups, and overflows. At the wastewater treatment plants, the City and City utility customers bear additional costs to clean wet wells and tanks and to treat the grease delivered by the collection system to the plants. Recognizing these concerns, the Virginia Department of Environmental Quality included provisions for a FOG program in the City's VPDES permit VA0025127.

While FOG can originate from residential and industrial users, food service establishments (FSEs) are the primary FOG sources in the Fredericksburg sewer service area. As such, FSEs shall be the primary focus of this program.

II. PURPOSE:

The purpose of this program is to eliminate the blockages, surcharges, and overflows, maximize compliance, reduce costs, and protect the health and welfare of the environment and people by reducing the quantity of FOG entering the City system from FSEs. Such reductions are to be realized by informing potential FOG producers how to minimize their discharge of FOG by implementing best FOG management practices and enforcing requirements to install and properly operate and maintain grease traps and separators.

This program advances the purpose of City Code Chapter 74, "Utilities," Article IV, "Discharge and Pretreatment Standards for Users of Public Sewers," as stated in §74-211(8), to prevent the introduction of pollutants into the municipal wastewater system which may interfere with the operation of the system or contaminate the resulting sludge ("interference"); to prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere, or which otherwise will be incompatible with the system ("pass-through"); and to ensure that the City complies with its VPDES permit conditions.

III. AUTHORITY:

The following Virginia and City Code laws and regulations, among others, provide authorization for this FOG program:

Virginia state laws and regulations:

Va. Code §15.2-900 Abatement or removal of nuisances by localities; recovery of costs

Va. Code §15.2-1115 Abatement or removal of nuisances

Va. Code §62.1-44.18 Sewerage systems, etc., under supervision of Board and Department of Environmental Quality; Board to regulate design specification and plans.

9VAC25-31-800 et seq. Pretreatment program requirements: development and implementation by POTW.

Fredericksburg City Code:

§ 74-131 Authority to establish regulations for use of City sewers.

The Director of Public Works is authorized and directed to promulgate regulations governing the means and methods of disposing sewage into the City's sanitary and sewer system. Such regulations shall be duly published by the Director of Public Works in the water and wastewater rules and regulations.

§ 74-135 Prohibited deposits.

It shall be unlawful for any person to deposit any of the following waste materials into any City sewer:

A. Liquid or vapor having a temperature higher than 150° F.

B. Water or waste which contains more than 100 parts per million by weight of fat, oil, or grease, exclusive of soap.

§74-136 Disposal of sewage; pretreatment.

A. All sewage shall be drained off and disposed of through the proper receptacles into the sanitary sewer. Sewage, for the purpose of this section, shall be held to include water, human excrement, and liquid refuse that should be properly disposed of through the sanitary sewers of the City, but shall not include rainwater drainage or soil drainage.

8. Any person discharging sewage or wastewater having characteristics differing from domestic sewage shall pretreat such sewage or wastewater prior to its entry

into the City's sewer system, as required by the water and wastewater rules and regulations.

§74-231 General discharge prohibitions.

(A) No user shall contribute or cause to be contributed to the POTW, either directly or indirectly, any pollutant or wastewater which will cause interference or pass-through. These general prohibitions shall apply to all users of the municipal wastewater system, whether or not the user is subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements. Furthermore, no user may contribute the following substances to the system:

(3) Any fats or greases, including, but not limited to, petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through;

(14) Any industrial wastes containing floatable fats, waxes, grease or oils, or which become floatable at the wastewater temperature at the introduction to the POTW during the winter season; or industrial wastewater containing more than 100 mg/l or a monthly average of more than 10 mg/l of emulsified oil or grease;

§74-235 Additional pretreatment requirements for industrial users.

(C) Grease, oil, and sand interceptors. Grease, oil, and sand interceptors shall be provided by an industrial user when, in the opinion of the DPW, they are necessary for the proper handling of wastewater containing excessive amounts of grease, flammable substances, sand, or other harmful substances; provided, however, that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the DPW and shall be accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the industrial user, at his own expense.

§74-241 Authority to establish additional regulations

The DPW shall have the authority to promulgate regulations consistent with the provisions of this article for the purpose of implementing the terms of this article. Such regulations shall be published and made available for public inspection.

§§74-311 et seq. Enforcement and Appeals

IV. **APPLICABILITY:**

The provisions of this program are applicable to all commercial food preparers, including all food service establishments, commercial office buildings with food service, industries with food service, and institutions with food service that discharge to the City of Fredericksburg wastewater collection system. Collectively, these shall hereinafter be referred to as Food Service Establishments (FSEs). Without limiting this description, the term "Food Service Establishment" encompasses all "restaurants" as defined in §35.1-1 of the Code of Virginia. FSEs that discharge to the City of Fredericksburg wastewater collection system are "industrial users" of the City's wastewater system, as that term is used in Virginia Administrative Code Title 9, Environment, Agency 25, State Water Control Board, Chapter 31, Virginia Pollutant Discharge Elimination System Permit Regulation, Part VII, General Pretreatment Regulations for Existing and New Sources of Pollution.

V. **GENERAL REQUIREMENTS:**

1. All FSEs shall install and maintain a grease trap or interceptor as their FOG control device at their expense.
2. A concentration of 100 ppm of FOG, measured utilizing industry standards, in the discharge of an FSE is a violation of this policy that will result in enforcement action found in Section XVII.
3. The maintenance costs related to a manhole overflow, stoppage, or back-up caused by excessive grease accumulation in the City of Fredericksburg wastewater collection system and traced to the FSE shall be the responsibility of the FSE.
4. The clean-up cost of a sanitary sewer overflow that is traced to the FSE, and caused by FOG from the FSE shall be the FSE's responsibility.
5. Any fines imposed upon the City of Fredericksburg by the Commonwealth of Virginia or the United States of America in regard to a sanitary sewer overflow, which is related to excessive grease in the City of Fredericksburg wastewater collection system and traceable to the food service operations of an FSE, shall be the responsibility of the FSE.

VI. **EXEMPTION FROM GREASE CONTROL DEVICE REQUIREMENTS:**

The Public Works Director is authorized to make a determination that an FSE has no, or minimal, adverse grease impact upon the City of Fredericksburg wastewater collection system due to the nature of its operations. In such a case, the Public Works Director is authorized to grant the FSE an exemption from the requirements to install and maintain a grease control

**Fredericksburg Virginia
FOG Program January 2022**

device. To be considered for an exemption, the FSE shall provide a written request to the Director, stating in detail the grounds for the exemption. Following a review of the request, the Director may elect to inspect the FSE during its normal business hours. The final decision on granting an exemption shall rest with the Public Works Director or designated agent, and a written response shall be provided to the FSE within twenty-one (21) business days after it is received. No exemption is granted except by the written approval of the Public Works Director. The Director shall periodically inspect an exempt FSE to determine whether the nature of the operations which supported the exemption continue to exist. If not, the exemption shall expire after reasonable notice by the Director to the FSE and an opportunity to respond.

VII. NEW ESTABLISHMENTS:

All new FSEs shall be required to install the appropriate grease traps or interceptors prior to initiating operations. In general, a grease trap or interceptor shall be required for all restaurants, supermarkets, hospitals, schools, motels, and industries and institutions that provide food service. Design and installation requirements are published in Chapter 10 of the Virginia Plumbing Code.

The Director or designated agent may decide in certain instances that the installation of a grease trap or interceptor may not be required. The FSE owner or manager shall be responsible for applying for a waiver from the requirement to install a trap or interceptor. The FSE owner or manager will be responsible for aggressive kitchen Best Management Practices to produce wastewater that meets the FOG discharge requirements. Such FSEs may be subject to routine sampling to confirm compliance with the requirements herein. If the FSE is unable to maintain compliance without a grease trap or interceptor, the installation of the appropriate device will be required.

VIII. EXISTING ESTABLISHMENTS:

The City's legal obligation to implement Clean Water Act National Pretreatment Standards to control pollutants that pass through or interfere with treatment processes in publicly-owned treatment works (POTWs) applies to any new or existing source of FOG. Thus, this program applies to all new and existing FSEs.

All existing FSEs shall have grease traps or interceptors that meet the same general requirements for installation and design as for new establishments. This shall also pertain to a new establishment that begins operations in an existing building, and an existing FSE that expands its food service operations.

An existing FSE whose grease handling facilities or methods are determined by the City of Fredericksburg to be inadequate to prevent excessive FOG from entering the City of Fredericksburg wastewater collection system shall be notified in writing of the deficiencies, listing the required improvements and a compliance deadline. Required improvements may include additional training of the kitchen staff, modifications of the grease traps' or interceptors' maintenance schedules, the installation of larger or additional, grease trap(s), or the installation of grease interceptor(s). FSEs shall be provided with the requirements in writing as part of the notification. The FSE may be required to provide a schedule of corrective action to meet full compliance.

**Fredericksburg Virginia
FOG Program January 2022**

An FSE without grease traps or interceptors shall be allowed a compliance deadline not to exceed two (2) months for the installation of a grease trap(s), or not to exceed six (6) months for the installation of grease interceptor(s), following written notification from the City of Fredericksburg.

Existing FSEs, which have installed grease traps or grease interceptors prior to the effective date of this program, shall be allowed to continue operation of the existing devices, but only if the devices are effective in keeping FOG from accumulating in the City's wastewater collection system and in the sewer lines of the FSE, producing wastewater in which FOG remains below the maximum allowed levels.

An existing FSE, which operates a grease trap, may be required to add a sample valve to the discharge pipe from the device, prior to a union with any building sewage drain. An existing FSE which operates a grease interceptor may be required to add a sample box to the discharge pipe from the device, prior to a union with any building sewage drain.

An existing FSE which expands its food service operations may be required to install a larger grease trap, additional grease traps, or a grease interceptor, to replace or operate in conjunction with an existing grease trap.

The Director or designated agent may decide in certain instances that the installation of a grease trap or interceptor may not be required. The FSE owner or manager shall be responsible for applying for a waiver from the requirement to install a trap or interceptor. The FSE owner or manager will be responsible for aggressive kitchen Best Management Practices to produce wastewater that meets the FOG discharge requirements. Such FSEs may be subject to routine sampling to confirm compliance with the requirements herein. If the FSE is unable to maintain compliance without a grease trap or interceptor, the installation of the appropriate device will be required.

IX. DESIGN, SIZING, AND INSTALLATION REQUIREMENTS FOR NEW OR REPLACEMENT GREASE INTERCEPTORS AND SEPARATORS:

The size, type, and location of grease traps or interceptors and separators shall be designed and installed in accordance with the manufacturer's instructions and requirements and Chapter 10 of the Virginia Plumbing Code. General specifications are as follows.

A. A Grease trap shall:

1. Be constructed of corrosion-resistant metal or plastic.
2. Be accessible for cleaning, maintenance, and inspection.
3. Contain properly installed and functioning baffles necessary to achieve the appropriate retention time to allow for proper separation of FOG and solids from the gray water.
4. Handle the flow from no more than three (3) kitchen sinks, and be located as close to the sink(s) as possible.

**Fredericksburg Virginia
FOG Program January 2022**

5. Receive the discharge from any dishwasher that operates at 130 degrees Fahrenheit or less (chemical sanitizing dishwasher) . Depending upon the number of sinks, this may require the installation of a second grease trap.
6. Not receive discharge that exceeds 130 degrees Fahrenheit.
7. Not receive discharge from a food grinding unit unless a properly-sized solids interceptor has been installed.
8. Receive only gray water.
9. Be installed with a flow control or restricting device in order to restrict the flow to the rated capacity of the trap.
10. Be installed with a sample valve on the discharge line from the device and prior to a union with any building sewage drain

B. A grease interceptor shall:

1. Be constructed of precast concrete meeting the standards of ASTM C1227-09, or of corrosion-resistant fiberglass .
2. Be sized from a minimum of 500 gallons to a maximum of 3,000 gallons.
3. Contain multiple chambers and properly-positioned tee piping to achieve a thirty (30) minute retention time before gray water is discharged to the City of Fredericksburg wastewater collection system.
4. Be installed on the FSE property and in a location outside the FSE, with access for inspection, cleaning, pumping, and maintenance.
5. Not be installed in areas subject to heavy traffic , where possible, and shall be accessible for inspections at all times, having no permanent or temporary structure or container placed directly over the unit.
6. Have a minimum 24-inch diameter manhole, extended to finish grade, over each chamber, interior baffle wall, and sanitary tee.
7. Have solid, water-tight manhole covers that prevent infiltration of storm water or other surface water . Any gaskets shall be positioned beneath the cover.

**Fredericksburg Virginia
FOG Program January 2022**

8. Be designed with a minimum eight (8) inch diameter sample box or sample tee at the outlet.
9. Receive the discharge from all FSE drains and fixtures through which grease may be released, including all sinks, food grinding units, dishwashers , and floor drains.
10. Receive only gray water.
11. Be installed at a minimum distance of ten (10) feet from dishwashers and sinks to allow for optimal cooling of the wastewater .
12. Not receive discharge that exceeds 150 degrees Fahrenheit.
13. Include a properly-sized solids interceptor, or have its volume increased by 25%, when receiving discharge from a food grinding unit.
14. Be installed with an approved flow control or restricting device.

X. GENERAL MAINTENANCE OF GREASE TRAPS AND INTERCEPTORS:

A. Proper maintenance of grease traps and interceptors is crucial to establish optimal efficiency of the devices, and thus eliminate or minimize the discharge of grease from the FSE. A grease control device shall be cleaned as often as necessary to ensure that:

1. There is no evidence of grease in the City of Fredericksburg wastewater collection system that can be traced directly to the operations of the FSE.
2. There is no evidence of grease in the sewer lines of the FSE.
3. The discharge of FOG to the City of Fredericksburg wastewater collection system remains below the Action Level.
4. Floating material and sediment do not accumulate to impair the operation of the device.
5. No oil or grease is observed to discharge from the device. The City of Fredericksburg shall provide a detailed packet of information that describes proper cleaning and maintenance of the devices. However, due to varying designs and sizes , the FSE shall follow specific manufacturer guidelines for cleaning and maintenance in all instances.

**Fredericksburg Virginia
FOG Program January 2022**

B. General guidelines for cleaning and maintenance include but are not limited to the following .

1. Grease traps and interceptors shall be kept free at all times of such solid materials as gravel, sand, bones, shells, cigarettes, utensils, towels, and rags that will reduce the effective volume of the device and increase the frequency of cleaning.
2. The total depth of the surface FOG, combined with the settled solids, should not exceed approximately 25% of the total depth of the liquid/solid column.
3. Based upon the above, a grease trap will typically require cleaning every 1-4 weeks , and a grease interceptor will generally require cleaning every 2-3 months. However , the actual loading on a device shall determine the specific cleaning schedule in all instances, and this schedule may require periodic adjustment based upon food volume and specific menu items.

XI. WASTE GREASE DISPOSAL:

All FSEs are encouraged to use designated buckets to dispose of waste grease removed from grease traps during cleaning. Such material shall not be combined with cooking oil that is to be recycled. Buckets should have a well-sealing lid and shall be disposed at a facility permitted to receive such waste.

XII. GREASE INTERCEPTOR CLEANING AND MAINTENANCE:

Specific requirements for the servicing of grease interceptors shall include the following:

1. Cleaning and related maintenance shall be contracted to a company that the Commonwealth of Virginia permits to transport waste.
2. Such service shall be performed when the interceptor has reached a combination of solids and oils that exceed 25% of the interceptor's capacity or once every three (3) months, whichever occurs first unless written permission for a schedule of less frequent service has been obtained from the City of Fredericksburg.
3. Cleaning and maintenance shall include evacuating all interceptor contents, including floating materials, gray water, and settled solids.
4. All waste removed from an interceptor shall be disposed of at a facility that is permitted to receive such waste.
5. Gray water or potable water shall be returned to the interceptor following waste evacuation and cleaning.

6. Other than the gray water immediately returned to the interceptor to complete maintenance, none of the waste material removed from an interceptor shall be discharged to the City of Fredericksburg wastewater collection system.

XIII. PROHIBITIONS:

A. The following practices and devices are prohibited:

1. Any modification of a grease interceptor, such as alteration or removal of a flow constricting device, that causes the flow to rise above the design capacity of the unit or reduce the retention time.
2. Interceptor cleaning that involves only skimming the surface layer, partial cleaning, or the use of any method that does not remove the entire contents of the vessel.
3. The introduction of such agents as concentrated detergents, other surfactants, emulsifiers, degreasers, solvents, or any other type of product that will liquefy grease wastes.
4. The addition of any chemical enzyme product unless written permission has been granted by the City of Fredericksburg.
5. The addition of bacteria unless written permission has been granted by the City of Fredericksburg.
6. The use of automatic, or mechanically operated, grease removal systems unless written Permission has been granted by the City of Fredericksburg.

XIV. RECORDKEEPING:

A FSEs with a grease control device shall maintain all cleaning and maintenance records. These records shall include, at a minimum:

1. The date and time of service.
2. The name and signature of the FSE representative who performed or witnessed the service.
3. The contract company which performed the service (if applicable).
4. The name and signature of the contract company employee (if applicable).

5. The gallons of waste removed.
 6. A copy of the service record or manifest from the contract company (if applicable).
- B. Records shall be placed in a logbook, folder, or binder, shall be maintained on site for at least the previous five (5) years, and shall be made available immediately to the City of Fredericksburg on request during an inspection.
- C. Any falsification of maintenance records is a violation of this program and of City Code §74-240. A knowingly false statement constitutes a Class 1 misdemeanor under City Code §74-319, and may expose the individual to other grounds of civil and criminal liability.

XV. RIGHT OF ENTRY AND INSPECTIONS:

The Director or designated agent shall have the right to inspect the premises of any FSE in which a discharge source or treatment system is located or in which records are required to be kept to ensure compliance with pretreatment standards, City Code, and these regulations, at any reasonable time. The Director or his agent shall seek the consent of the person in charge of an FSE for this inspection. If the Director or his agent is denied access to the property, they may apply for an administrative inspection warrant to gain access to the premises. Persons or occupants of premises where wastewater is created or discharged shall allow the Director ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records copying, or the performance of their duties pursuant to applicable law.

The Director or designated agent shall have the right to set up such devices on the FSE's property as necessary to conduct sampling, inspection, compliance monitoring, or metering operations. Where an FSE has security measures in force that require proper identification and clearance before entry into its premises, the FSE shall make necessary arrangements with its security guards to that, upon presentation of suitable identification, personnel from the City will be permitted entry at reasonable times for the purpose of performing their responsibilities.

The Director or designated agent shall cause an inspection to be made of each FSE located within the city within two years of the adoption of this program. The schedule may be generated on any objective, neutral, and nondiscriminatory manner, including for example, the age of the FSE, the date of its last inspection, its geographic area and proximity to other FSEs scheduled for inspection, the discharge facility that serves the FSE, or other objective, neutral, and nondiscriminatory factors. If an FSE does not pass its initial inspection, the Director may re-inspect as necessary to enforce this program.

In addition to the administrative inspection program, the Director or designated agent shall cause an inspection to be made of an FSE where there is probable cause to believe that a violation of this program exists on the premises. The Director or his agent shall seek consent for

**Fredericksburg Virginia
FOG Program January 2022**

the inspection as provided above, and, if consent is denied, apply for an administrative inspection warrant to authorize the inspection.

The Director or designated agent shall carry proper credentials when inspecting FSEs in the performance of their duties under this program, and shall show their credentials to the person in charge of the FSE upon request.

A Inspection may involve any or all of the following items:

1. The integrity of the grease traps or interceptors.
2. The amount of grease present in the grease traps or interceptors.
3. Wastewater appearance and clarity.
4. Cleaning and maintenance records.
5. All food processing areas and fixtures.
6. Sampling of discharge water from the grease traps or interceptors

It shall be the responsibility of the FSE to keep its grease traps or interceptors accessible at all times. The City of Fredericksburg shall have the option of requesting that a grease trap be opened by a representative of the FSE.

The result of the inspection shall be made available to the FSE representative verbally. A written report shall be mailed within ten (10) business days of the inspection if the FSE is found to be out of compliance with any of the requirements outlined in this Section, and shall include the necessary corrective action and a timetable for accomplishing such improvements.

As a part of the inspection of an FSE, the City of Fredericksburg reserves the right to photograph the kitchen facilities and any grease control device, including its contents, for the purpose of documentation.

The City of Fredericksburg also reserves the right to photograph the interior of the building sewage drain and building sewer. Photo documentation of grease accumulation along the pipe walls shall be evidence that the FSE must install grease traps or interceptors, that an existing grease trap or interceptor is not being maintained properly, or that an additional grease control device may be required. The FSE may also be required to clean its building sewage drain and building sewer in coordination with City of Fredericksburg maintenance crews. The FSE shall bear the expense of such cleaning.

XVI. SAMPLING AND TESTING:

**Fredericksburg Virginia
FOG Program January 2022**

The City of Fredericksburg may periodically collect samples for laboratory testing as one means to determine if an FSE complies with the requirements of this program, and with other applicable requirements. The FSE shall bear the expense of sample collection, shipment, and analyses.

Sampling and testing may consist of FOG, BOD, and TSS. Any additional sample collection and testing for these parameters shall be at the discretion of the City of Fredericksburg and shall relate to a history of the FSE's discharge, or to existing conditions.

Sampling shall involve grab samples which are collected, stored, transported, and analyzed in accordance with the procedures specified in these rules and regulations. All testing shall be conducted by a private commercial laboratory which is in good standing with the Virginia Department of Consolidated Laboratory Services.

Samples collected from a grease trap shall be from the sample valve at the outlet of the device, if present, or from the nearest maintenance hole that receives only the discharge of the FSE. Sample collection from a grease interceptor shall be from the sample box at the outlet of the device, if present, or from the nearest maintenance hole that receives only the discharge of the FSE.

A copy of the analysis report of any laboratory testing on samples collected from an FSE shall be mailed to the FSE within ten (10) business days of receipt by the City of Fredericksburg. The report shall include, at a minimum, an explanatory cover letter, the chain of custody form, the laboratory at which testing occurred, the results of the testing, the test methods used, and the dates of analyses.

XVII. ENFORCEMENT:

The following enforcement plan is designed to provide fair, consistent, and equitable action against FSEs for violations of the policies of this Section. A more detailed description of City enforcement procedures and authority can be found in City Code §74-311 through 74-321.

A Notice of Violation.

1. If an FSE fails to provide the corrective action required by a Notice of Non-Compliance, a Notice of Violation (NOV) shall be served personally or by certified mail on the FSE. An NOV shall repeat the specific violation(s), provide information on the required steps to be taken, and list the date(s) by which all corrective action must be completed.
2. Within ten (10) days of receipt of this notice, the FSE shall submit to the Director an explanation of the violation and a plan for satisfactory correction and prevention of the violation. Submission of the plan in no way relieves the FSE of liability for any violations occurring before or after receipt of the NOV.
3. Primary reasons for the issuance of an NOV include, but are not limited to:

**Fredericksburg Virginia
FOG Program January 2022**

- a. Failure to install a proper grease control device by an assigned date.
 - b. Failure to repair a malfunctioning grease control device by an assigned date.
 - c. Failure to properly maintain and clean a grease control device at a frequency and in a manner that ensures efficient operation.
 - d. Repeated violations of the FOG Action Level.
 - e. Failure to keep grease control device maintenance records on-site, or failure to provide the records to the City of Fredericksburg upon request.
 - f. Falsification of grease control device maintenance records.
 - g. Denial of facility access to an authorized representative of the City of Fredericksburg for the purpose of observing conditions, obtaining information, and/or failure to allow sampling related to the operation of a grease control device.
4. Satisfactory response by an FSE to an NOV may be followed by a program of additional FOG, BOD, and TSS testing, the expense of which shall be borne by the FSE.

B. Administrative orders, Cease-and-desist, Emergency suspension.

When the Director finds that a user has violated or continues to violate City Code Chapter 74, Article IV, the Director may issue orders pursuant to City Code §74-314 and §74-315 prescribing such actions that are reasonably necessary and appropriate to address the noncompliance. Orders may include requirements such as installation of pretreatment technology, self-monitoring, and improved management practices, or other remedial actions, and directives to the FSE to cease all violations or suspend use of the municipal sewer systems. In the event the FSE fails to comply with any order, the Director may take any steps deemed necessary, including immediate suspension of service, to prevent further damage to the POTW or public health or safety.

C. Termination of industrial discharge permits.

The Director is authorized to terminate industrial discharge permits under City Code §74-316 after consultation with the City Attorney.

D. Injunctive relief.

The Director is authorized to seek injunctive relief under City Code §74-317 through the City Attorney, as provided therein.

E. Appeals.

Any person aggrieved by any decision of the DPW interpreting the provisions of Chapter 74, Article IV of the City Code or by any notice of violation or order issued shall have the right to appeal such action to the City Manager within 30 days thereof, in accordance with City Code §74-320.

XVIII. KITCHEN BEST MANAGEMENT PRACTICES:

The application of kitchen Best Management Practices (BMP) by an FSE serves as a critical initial step in reducing the amount of FOG that enters grease traps or interceptors and,

**Fredericksburg Virginia
FOG Program January 2022**

therefore, prolonging the periods between cleaning and maintenance. The City of Fredericksburg strongly encourages each FSE to establish a kitchen BMP program and provide continuous training and monitoring of employees. If requested by a facility, the City of Fredericksburg shall provide packets of information that describe aspects of a kitchen BMP program.

These packets shall be provided to the existing FSEs during the initial premise inspection and to new FSE's during the building permit process. The information will also be posted on the City's website.



Diane Beyer, Director of Public Works
City of Fredericksburg

3-8-2022

Date