

CITY OF VENTURA  
VENTURA WATER  
FOG Rules and Regulations

AGENDA ITEM NO. 9  
1-9-12

FATS, OILS AND GREASE (FOG) RULES AND REGULATIONS

Goal:

To reduce grease accumulation in the Sewer System that leads to sewer system overflows into the environment.

Objectives:

- Food Service Establishments control grease by installing grease interceptors;
- Kitchen practices minimize grease from entering building's drain;
- Proper Grease Control Devices are installed and maintained.

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FATS, OILS AND GREASE CONTROL

1.0 Purpose

The purposes of these FOG Rules and Regulations are to facilitate the maximum beneficial public use of the City of Ventura's sewer services and facilities while preventing blockages of the sewer lines resulting from discharges of FOG to the sewer facilities, and to set forth appropriate and enforceable FOG discharge requirements for Food Service Establishments. These Final FOG Rules and Regulations associated with this policy are promulgated in accordance with City of Ventura Municipal Code Section 22.240.150, "Establishment of Rules and Regulations." These final FOG Rules and Regulations implement the commercial FOG Pretreatment Program adopted in 2011, as it may be amended from time to time, and have been developed pursuant to the State Water Resources Control Board Order No. 2006-003-DWQ.

These final FOG Rules and Regulations shall use the special definitions set forth in Municipal Code Section 22.240.160 and the additional definitions set forth in Section 2.0 of this Policy. To comply with Federal, State, and local policies and to allow the City of Ventura to meet applicable standards, these regulations shall govern all direct and indirect discharges of all wastewater or waste by commercial and/or institutional food service operations containing FOG, which may alone cause, or collectively contribute to FOG accumulation in the sewer facilities and causing or contributing, or threatening to cause or contribute, to the occurrence of SSOs.

Notwithstanding compliance with these FOG Rules and Regulations, all direct and indirect discharges of wastewater or waste containing FOG to the sewer facilities shall also be subject to Municipal Code Chapter 22.240, the City's Enforcement Response Plan set forth in Municipal Code Sections 22.24.140, 22.240.630, and all other legally applicable requirements.

2.0 Definitions

The terms hereinafter set forth shall have the following meanings when used herein or in any orders issued pursuant hereto. Terms used in these FOG Rules and Regulations and not defined below shall have the meaning defined in Municipal Code Section 22.240.160.

- (1) Automatic Grease Removal Units (AGRUs) shall mean units that remove the surface grease from a discharge through hydrostatic pressure, a skimmer device, or an automatic draw-off system and which have an internal strainer basket for food particles, internal heater element, and external collector box for removal of grease/oil to a recycling container. These units require external power and rely on working heaters, timers, motors, or skimmers.

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- (2) Brown Grease shall mean waste FOG or other solid material that is recovered from a Grease Control Device or other wastewater component.
- (3) California Plumbing Code shall mean Uniform Plumbing Code.
- (4) Change In Operations shall mean any change in the ownership, food types, equipment, or operational procedures that have the potential to increase the amount of FOG generated and/or discharged by Food Service Establishments in an amount that alone or collectively causes or creates a potential for grease accumulation in the Public Sewer to occur.
- (5) Effective Date of these FOG Rules and Regulations shall be January 17, 2012.
- (6) Emulsify shall mean to disperse (as an oil) in an emulsion or to convert two or more immiscible liquids into an emulsion.
- (7) Enforcement Response Plan ("ERP") shall mean the Enforcement Response Plan of the Environmental Compliance Program of the Ventura Water Department, Wastewater Division.
- (8) Fats, Oils, and Grease ("FOG") shall mean any fats, oils or grease of animal or plant origin having a reasonable potential to cause interference with or obstruction to the Publically Owned Treatment Works.
- (9) FOG Pretreatment Program shall mean the program for management of FOG that may be generated by commercial and institutional food service operations required by and developed pursuant to State Water Resources Control Board Order No. 2006-003-DWQ, updated in 2011, as it may be amended from time to time.
- (10) FOG Pretreatment Program Manager shall mean the individual designated by the Ventura Water General Manager to administer the FOG Pretreatment Program. The FOG Pretreatment Program Manager is responsible for all determinations of compliance by institutional and commercial establishments with the program and these FOG Rules and Regulations, including approval of discretionary variances and waivers.
- (11) Food Service Establishment ("FSE") shall mean a facility defined in California Uniform Retail Food Service Establishment Law (CURFFL), Health and Safety Code Section 113785, and any commercial or institutional entity within the boundaries of the City of Ventura, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise

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handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in CURFFL Section 113785. These types of facilities may include but are not limited to: full service restaurants, fast food restaurants, cafeterias, food processing plants, and grocery stores.

- (12) FSE Classification –Commercial and institutional food service operations are divided into four categories based on FOG generation, FSE size, cooking equipment, and type of food prepared. The classifications are as follows:

Class 1 -- FSEs with high grease generation because of cooking equipment, volume of food served or type of food prepared. FSEs of Class 2 or 3 may be re-designated as Class 1 for chronic non-compliance.

Class 2 -- FSEs with moderate grease generation, such as fast food with mostly single service dishes.

Class 3 -- FSEs with low grease generation, such as a sandwich and soup preparation with no cooking of raw food.

Class 4 -- Establishments with no significant grease generation, classified as a limited food preparation establishment that is engaged only in reheating, hot holding or assembly of ready to eat food products and does not discharge wastewater containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food. Limited food preparation facilities include but are not limited to: coffee shops, ice cream parlors, sandwich shops, chafing stations and beverage facilities.

The FOG Pretreatment Program Manager may change the classification of a Food Service Establishment based on additional data as set forth in these FOG Rules and Regulations.

- (13) Garbage Disposal (Food Waste Disposer, Food Grinder) shall mean any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation by products for the purpose of disposing it in the Sewer System.
- (14) Gravity Grease Interceptor shall mean an in-ground or above-ground device that collects wastewater and uses gravity to separate FOG from the wastewater before the wastewater is discharged into the Sewer System.

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- (15) Grease Control Device shall mean an Automatic Grease Removal Unit, Gravity Grease Interceptor, or Grease Trap.
- (16) Grease Traps shall mean under-sink units that have a flow control orifice and collect FOG from sink wastewater.
- (17) Inspector shall mean a person authorized by the Ventura Water General Manager to inspect any existing or proposed wastewater generation, conveyance, processing and disposal facilities.
- (18) Kitchen Best Management Practices shall mean schedules of activities, prohibitions of practices, maintenance procedures and other management practices identified for implementation by certain classifications of FSEs to prevent or reduce FOG discharges to the sewer facilities. These may include, but are not limited to those practices stated in Appendix A of the FOG Pretreatment Program.
- (19) Manifest shall mean that receipt which is retained by the generator of wastes for disposing solid wastes, recyclable wastes or liquid wastes, including FOG, as required by the City of Ventura.
- (20) Multiple FSE Discharger shall mean property owners that own Private Sewer Laterals serving multiple FSEs.
- (21) New Construction shall mean any structure planned or under construction for use as a commercial or institutional food service operation, and for which a sewer connection permit has not been issued.
- (22) Priority Cleaning Locations shall mean any Public Sewer pipe or line or segment thereof identified by field observations, CCTV assessments, cleaning results, or other information indicating that the segment experiences blockages or has a history of blockages or SSOs caused by roots, debris, FOG or pipe condition that must be cleaned or maintained frequently to avoid blockages of the Sewer System.
- (23) Private Sewer shall mean any sewer system facility or portion thereof that is not owned or operated by the City of Ventura.
- (24) Private Sewer Lateral shall mean the sanitary sewer piping or line located on private property connecting the building or other structure to the Public Sewer, and includes the wye or saddle at the Public Sewer. The term "Private Sewer Lateral" includes a "private sewer" as that term is defined in the California Plumbing Code.

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- (25) Public Sewer shall mean any sewer facility or portion thereof, dedicated to public use and owned and controlled by the City of Ventura.
- (26) Remodeling shall mean a physical change or operational change to a Food Service Establishment causing generation of the amount of FOG that exceed the current amount of FOG discharge to the Sewer System by the Food Service Establishment in an amount that alone or collectively causes, contributes to, or creates a potential for SSOs to occur; or exceeding an identified total cost, set forth in the FOG Pretreatment Program, that requires a building permit and involves any one or combination of the following: (1) Under slab plumbing in the food processing area, (2) an increase in the net public seating area meeting the criteria specified in the FOG Pretreatment Program, (3) an increase in the size of the kitchen area meeting the criteria specified in the FOG Pretreatment Program, or (4) any change in the size or type of food preparation equipment or HVAC ventilation system.
- (27) Regulatory Agency shall mean an agency having regulatory jurisdiction over operations of the City of Ventura, including but not limited to the U.S. Environmental Protection Agency (EPA), the State Department of Health Services (DOHS), the State Water Resources Control Board (SWRCB), the California Regional Water Quality Control Board (RWQCB), the Ventura County Air Pollution Control District (VCAPCD) and Ventura County Health Care Agency.
- (28) Regulated Party shall mean any FSE and/or Multiple FSE discharger
- (29) Sewer shall mean any pipe or other conveyance, including Public Sewer pipes and Private Sewer pipes intended to transport sewage.
- (30) Sewer System shall mean any systems of sewers and appurtenances for the collection, conveyance, treatment and disposal of sewage, including Public Sewer and Private Sewer system facilities.
- (31) SSO shall mean sewer system overflow.
- (32) Yellow Grease shall mean used frying oils from deep fryers or other cooking equipment.

2.1 FOG Rules and Regulations Promulgation and Interpretation

These FOG Rules and Regulations are promulgated in accordance with City of Ventura Municipal Code Section 22.240.150, "Establishment of Rules and Regulations" to implement the City's commercial FOG Pretreatment Program. Said FOG Rules and Regulations shall be filed in the City of Ventura, City Clerk's Office, and maintained in

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orderly manner readily accessible to the public. The burden to secure and comply with these FOG Rules and Regulations shall be upon the Food Service Establishment and/or Multiple FSE Discharger, as applicable, in accordance with the purposes of the FOG Pretreatment Program. The Ventura Water General Manager or his/her designee is hereby authorized to approve deviations from said FOG Rules and Regulations, and to approve changes in effective dates, when such deviations or changes are appropriate under the FOG Pretreatment Program and in the best interests of the City.

3.0 FOG Discharge Prohibitions and Pretreatment Requirements

3.1 FOG Discharge Prohibition

No Regulated Party shall discharge or cause to be discharged into the Sewer System FOG that may accumulate within, and/or cause or contribute, or threaten to cause or contribute to blockages or restrictions in flow in the Public Sewer or at a location in the Private Sewer which connects or drains to the Public Sewer. The following prohibitions shall apply to the Regulated Parties:

- (1) Installation of Garbage Disposals in the plumbing system for New Construction FSEs is prohibited. Furthermore, Regulated Parties shall assure that Garbage Disposals are removed from existing FSEs within 180 days of the Effective Date of these FOG Rules and Regulations, except when expressly allowed in a written authorization from the FOG Pretreatment Program Manager.
- (2) Introduction of any additives into the wastewater system for the purpose of Emulsifying FOG is prohibited, unless a specific written authorization from the FOG Pretreatment Program Manager is obtained.
- (3) Disposal of Yellow Grease, including without limitation, waste cooking oil, into the Sewer System is prohibited. All Yellow Grease shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
- (4) Discharge of wastewater from dishwashers to any Grease Control Device, including a Gravity Grease Interceptor is prohibited, unless the interceptor capacity is greater than 101 gallons and a specific written authorization from the FOG Pretreatment Program Manager is obtained.
- (5) Discharge of wastewater with temperatures in excess of 140°F to any Grease Control Device, including Grease Traps and Gravity Grease Interceptors, is prohibited, unless a specific written authorization from the FOG Pretreatment Program Manager is obtained.

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- (6) The use of biological additives for grease remediation or as a supplement to Grease Control Device maintenance is prohibited, unless a specific written authorization from the FOG Pretreatment Program Manager is obtained.
- (7) Discharge of wastes from toilets, urinals, and other fixtures containing fecal materials to Sewer System facilities intended for Grease Control Device service is prohibited, and the discharge of wastes intended for Grease Control Device service into Sewer System facilities intended for toilets, urinals and other fixtures is also prohibited.
- (8) Discharge of any waste including FOG and solid materials removed from any Grease Control Device (Brown Grease) to the Sewer System is prohibited. Brown Grease removed from Grease Control Devices shall be properly disposed of as required by the operation and maintenance requirements for Grease Control Devices specified by the manufacturer and these FOG Rules and Regulations. Further, Brown Grease shall not be discharged to the Sewer System during vacuuming or as a result of any cleaning operations.
- (9) Any other prohibited practice identified in the commercial FOG Pretreatment Program is prohibited.

**3.2 Kitchen Best Management Practices Requirement**

All Class 1, 2, and 3 FSEs shall implement Kitchen Best Management Practices. All Class 1, 2, and 3 FSEs shall post and keep posted, the Kitchen Best Management Practices in a conspicuous area in the food preparation and dishwashing areas at all times.

All Class 1, 2, and 3 FSEs shall provide and document the provision of annual training to employees regarding FOG control measures and Kitchen Best Management Practices, and shall maintain a log of such training for three years. Inspectors shall verify the training log during inspections pursuant to Section 6.0. xq

**3.3 FOG Pretreatment**

In accordance with Municipal Code Section 22.240.210 and 22.240.270, all Regulated Parties shall provide wastewater acceptable to the City of Ventura, under the requirements and standards established herein, before discharging it to any Public Sewer or Private Sewer that is connected and drains to a Public Sewer. Any Regulated Party that is a Class 1, 2, or 3 FSE shall install, operate, and maintain an approved type of, and an adequately sized Grease Control Device that is sufficient to remove FOG contained in wastewater discharges and to maintain compliance with the objectives of these FOG Rules and Regulations and the FOG Pretreatment Program. Class 3 FSEs providing substantial evidence that a waiver is warranted from the requirement to install a Grease Control Device because the FSE will not discharge FOG that may alone cause, or collectively contribute to FOG accumulation in the sewer facilities and cause or

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contribute, or threaten to cause or contribute, to the occurrence of SSOs of Ventura's sewer lines due to the nature of the food it is preparing or other pertinent circumstance may be granted a conditional waiver from installation of a Grease Control Device with written approval from the FOG Pretreatment Program Manager. All fixtures, equipment, drain lines and similar facilities in areas of the FSE generating FOG shall be connected to approved Grease Control Devices pursuant to these FOG Rules and Regulations.

**3.4 Pretreatment - Grease Interceptor Requirements**

If Regulated Parties use Gravity Grease Interceptors, the Gravity Grease Interceptors shall be adequate and properly sized to separate and remove FOG contained in wastewater discharges from the FSE(s) prior to discharge to the Sewer System. Fixtures, equipment, and drain lines located in the food preparation and clean up areas of the FSE that are sources of FOG discharges shall be connected to the Gravity Grease Interceptor. Gravity Grease Interceptors shall be installed at a location with ample access for inspection, cleaning, and removal of accumulated grease. Each chamber of a Gravity Grease Interceptor shall provide riser manholes to allow thorough visual inspection and access for cleaning.

Gravity Grease Interceptors shall be fully pumped out and cleaned at a frequency that does not exceed the shorter of: the manufacturer's recommendation; 6 months; or the period of time required to assure that the combined FOG and solids accumulation within the device does not exceed 25% of the total liquid depth of the Gravity Grease Interceptor, whichever occurs first:

Gravity Grease Interceptors shall be maintained in an efficient operating condition in accordance with the practices, requirements and restrictions set forth by the manufacturer of the Gravity Grease Interceptor for optimal efficiency, and with the practices, requirements, and restrictions set forth in the FOG Pretreatment Program and with these FOG Rules and Regulations. The FOG Pretreatment Program Manager or his/her designee may mandate periodic cleaning or maintenance of the device and the frequency thereof, if the Manager finds that a Regulated Party is not maintaining a Gravity Grease Interceptor in a manner that is in compliance with the above.

**3.5 Pretreatment - Grease Trap Requirements**

Unless more effective Grease Control Devices are required to be installed by these FOG Rules and Regulations, FSE may be required to install grease traps in the waste line leading from drains, sink, and other fixtures or equipment where FOG may be introduced into the Sewer System in quantities that can cause blockage. The installation of a Grease Trap requires the written approval of the FOG Program Manager. Grease traps shall be maintained in efficient operating condition in accordance with the practices, requirements and restrictions specified by the manufacturer and as set forth in the FOG Pretreatment Program and these FOG Rules and Regulations. Further, Grease Traps shall be maintained and cleaned out in accordance with the frequency recommended by the

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manufacturer of the Grease Trap for optimal efficiency, and as approved by the FOG Pretreatment Manager pursuant to the FOG Pretreatment Program.

**3.6 New Construction of Food Service Establishments**

After the Effective Date of these FOG Rules and Regulations, New Construction of Class 1 and 2 FSEs shall include and install an approved Gravity Grease Interceptor. Installation of AGRUs in New Construction FSEs is prohibited. New Construction of Class 3 FSEs shall include and install an approved Gravity Grease Interceptor or Grease Trap prior to commencing discharges of wastewater to the Sewer System. Class 3 FSEs providing substantial evidence that a waiver is warranted from the requirement to install a Grease Control Device because the FSE will not discharge FOG to Ventura's sewer lines due to the nature of the food it is preparing or other pertinent circumstance may be granted a conditional waiver from installation of a Grease Control Device with written approval from the FOG Pretreatment Program Manager. Class 4 FSEs are not required to install a Grease Control Device.

**3.7 Existing Food Service Establishments**

- (1) Within 180 days of written notification by the FOG Pretreatment Program Manager, existing Class 1 and 2 FSEs that have reasonable potential to adversely impact the Public Sewer or have Private Sewer Laterals connected to Priority Cleaning Locations, as determined by the FOG Pretreatment Program Manager, shall install an approved Gravity Grease Interceptor.
- (2) Within 180 days of written notification by the FOG Pretreatment Program Manager, existing Class 3 FSEs that have reasonable potential to adversely impact the Public Sewer or have Private Sewer Laterals connected to Priority Cleaning Locations, as determined by the FOG Pretreatment Program Manager, shall install that Grease Control Device approved in writing by the FOG Pretreatment Program Manager.
- (3) Within 180 days of written notification by the FOG Pretreatment Program Manager, any existing FSE that has an AGRU and that has a reasonable potential to adversely impact the Public Sewer or has Private Sewer Laterals connected to Priority Cleaning Locations, as determined by the FOG Pretreatment Program Manager, shall remove that AGRU and install an approved Grease Control Device.
- (4) Existing Class 1 and 2 FSEs undergoing Remodeling or a Change In Operations shall be required to install a Gravity Grease Interceptor.
- (5) Existing Class 3 FSEs undergoing Remodeling or a Change In Operations shall be required to install an approved Grease Control Device, unless a conditional

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waiver with written approval from the FOG Pretreatment Manager is obtained in accordance with the conditions of the FOG Pretreatment Program.

Under certain circumstances, the requirement to install and properly operate and maintain a Grease Control Device may be conditionally stayed, for up to a maximum period of three (3) years from the Effective Date of these FOG Rules and Regulations upon written approval of a waiver by the FOG Pretreatment Program Manager based on substantial evidence that a waiver is warranted pursuant to the conditions set forth in the FOG Pretreatment Program.

3.8 Gravity Grease Interceptor Serving Multiple FSEs

Within 180 days of written notification by the FOG Pretreatment Manager, property owners that own Private Sewer Laterals serving multiple FSEs (Multiple FSE Discharger) shall install and shall at all times properly maintain a Gravity Grease Interceptor serving multiple FSEs operating within the commercial property in accordance with these FOG Rules and Regulations and the FOG Pretreatment Program.

4.0 Sewer System Overflows, Public Nuisance, Abatement Orders and Cleanup Costs

All Regulated Parties found to pose threat to the proper operation of the Public Sewer, or to the health or safety of the public, or the environment, or found to have caused or contributed to Public Sewer blockage(s), SSO(s) or any Public Sewer interferences resulting from the discharge of wastewater or waste containing FOG, may be ordered by the FOG Pretreatment Program manager to install a Grease Control Device. Additionally, any Regulated Party found to pose a threat to the proper operation of the Public Sewer, to public health or safety, or to the environment, or found to have contributed to Public Sewer blockage(s), SSO(s) or any Public Sewer interferences resulting from the discharge of wastewater or waste containing FOG may be ordered by the FOG Pretreatment Manager to immediately clean an existing Grease Control Device, and/or to increase cleaning frequency as determined necessary to prevent the threat or occurrence of blockage. Furthermore, Private Sewer system and Private Sewer Lateral failures and SSOs caused by a Regulated Party alone or collectively, are the responsibility of all contributing Regulated Parties, and any individual(s) responsible for ownership, operation, management and maintenance of the Private Sewer system(s), and Private Sewer Lateral(s).

Blockages affecting the Public Sewer system, SSOs, obstruction, interference, damage, or any other impairment to the Public Sewer facilities or to the operation of those facilities, and any discharge of a waste which causes or contributes to the City of Ventura's violating its discharge requirements established by any Regulatory Agency or incurring additional expenses or suffering losses or damage to the facilities, may be subject to Municipal Code Section 22.240.620.

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5.0 Monitoring, Reporting, Inspection and Sampling

5.1 Monitoring for Compliance and Reporting Requirements

To ensure proper operation and maintenance of approved Grease Control Devices, including Gravity Grease Interceptors, and to facilitate compliance with these FOG Rules and Regulations, the City of Ventura may require Class 1, 2 and 3 FSEs and Multiple FSE Dischargers, at the sole cost and expense of the FSE or Multiple FSE Discharger, to: periodically record and submit to Ventura Water, video of their grease waste, sanitary drain, and/or Private Sewer Laterals; prepare and submit to Ventura Water, video, reports, contingency plans, or other documents or information and/or implement other measures as may be reasonably necessary for attaining compliance with any conditions or requirements specified in these FOG Rules and Regulations.

The FOG Pretreatment Program Manager may require Class 1, 2, and 3 FSEs and Multiple FSE Dischargers to conduct, at the sole expense of the FSE or Multiple FSE Discharger, visual monitoring to observe and document the actual conditions of the FSE or Multiple FSE Discharger's sanitary drain(s), Private Sewer Lateral(s) and/or and downstream sewer lines.

The FOG Pretreatment Program Manager may require Class 1, 2, and 3 FSEs to prepare and submit periodic reports of the status of implementation of Kitchen Best Management Practices, in accordance with these FOG Rules and Regulations.

The FOG Pretreatment Program Manager may require Class 1, 2, and 3 FSEs and Multiple FSE Dischargers to prepare and submit periodic reports of FOG characteristics needed for determining compliance with any conditions or requirements as specified in these FOG Rules and Regulations.

The FOG Pretreatment Program Manager may require Class 1, 2, 3 and 4 FSEs and Multiple FSE Dischargers to prepare and submit any other reports, including compliance schedule progress reports, FOG control monitoring reports, and any other reports deemed reasonably appropriate by the FOG Pretreatment Program Manager to ensure compliance with these FOG Rules and Regulations.

All monitoring shall be conducted and all reports shall be prepared under this regulation in a manner and form approved by the FOG Pretreatment Program Manager and shall be submitted at the time or times requested by FOG Pretreatment Program Manager.

Failure to perform any required monitoring or inspection, or to submit any reports or information, or to implement any other measures required by the FOG Pretreatment Program Manager shall constitute non-compliance with the FOG Rules and Regulations

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and shall be cause for the City of Ventura to initiate all necessary tasks and analyses to determine the wastewater constituents and FOG characteristics for compliance with the conditions and requirements specified in the FOG Rules and Regulations. The FSE or Multiple FSE Discharger shall be responsible for any and all expenses of the City of Ventura in undertaking such monitoring, analyses, inspection, reporting, or implementation of other measures required of, but not performed by any Regulated Party.

**5.2 Record Keeping Requirements**

In accordance with Municipal Code Section 22.240.480, all Class 1, 2, and 3 FSEs and Multiple FSE Dischargers shall be required to keep all Manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the Grease Control Device, and disposal carrier and disposal site location records for no less than three years. FSEs and Multiple FSE Dischargers shall, upon request, make the Manifests, receipts invoices and records available to any City of Ventura representative, or Inspector. In addition, FSEs and Multiple FSE Dischargers shall maintain the following records, as applicable:

- (1) A logbook of Grease Control Device cleaning and maintenance practices.
- (2) A record of Kitchen Best Management Practices being implemented.
- (3) Copies of records and Manifests of waste hauling interceptor contents.
- (4) A logbook of annual training of employees regarding FOG control measures and Kitchen Best Management Practices.
- (5) Any other information determined to be appropriate by the FOG Pretreatment Program Manager to ensure compliance with these FOG Rules and Regulations.

**5.3 Falsifying Information or Tampering with Treatment Controls**

It shall be unlawful to make any false statement, representation, record, report, plan or other document that is filed with the City of Ventura, to by-pass, tamper with or knowingly render inoperable any Grease Control Device, monitoring device or method or access point required under these FOG Rules and Regulations.

**6.0 Inspection and Monitoring**

Inspections are performed to provide ongoing outreach and education to the Regulated Parties, and to ensure FSEs and Multiple FSE Dischargers are in compliance with these FOG Rules and Regulations and the FOG Pretreatment Program requirements. These inspections are also conducted to evaluate compliance with Kitchen Best Management Practices requirements, and where applicable, to evaluate compliance with the FSE or Multiple FSE Discharger Grease Control Device requirements and standards.

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The wastewater discharges of Class 1, 2, 3 and 4 FSEs and Multiple FSE Dischargers are subject to inspection and monitoring in accordance with the requirements of Section 5.0 above, and Municipal Code Section 22.240.510 to ascertain whether the intent of these FOG Rules and Regulations is being met and the FSE or Multiple FSE Discharger is complying with all requirements. City of Ventura access to the FSE's or Multiple FSE Discharger's premises and records for such purposes shall include access to Grease Control Devices and Manifests, receipts, reports, records, invoices and other documents relating to the cleaning, maintenance and inspection of the Grease Control Devices. All such Manifests, receipts, reports, records, invoices, and documents shall be subject to inspection and shall be kept by the FSE or Multiple FSE Discharger for three years.

6.1 Inspection Frequency

Inspection frequencies are designated based on a variety of factors including (but not limited to):

- FSE Class;
- Each facility's potential for FOG discharge (i.e., cooking equipment, dishwashing practices, etc.);
- FOG Pretreatment Program compliance history;
- Relationship to blockages/SSOs;
- Relationship to Priority Cleaning Locations;
- Adequacy and capacity of installed Grease Control Devices; and
- Adequacy and frequency of Grease Control Device cleaning and maintenance.

While site specific inspection frequencies can vary, all Class 1 and 2 FSEs, Class 3 FSEs tributary to a Priority Cleaning Location within the City's service area, and all Multiple FSE Dischargers shall be inspected by the City minimum two times per five years.

All Regulated Parties that are likely to have caused or contributed to FOG-related blockages or SSOs will be inspected promptly upon discovering the likely role of the Regulated Party.

6.1.1 Priority FOG Businesses

Pursuant to Municipal Code Sections 22.240.635, 22.240.640, 22.240.650, and 22.240.660 and in accordance with the City's Enforcement Response Plan, FSEs and Multiple FSE Dischargers are subject to issuance of Notice of Noncompliance and Correction (NoNC&C), a Notice of Violation (NoV), a Compliance Order, Consent Order, or Emergency Suspension (collectively, "Enforcement Order") when noncompliance with these FOG Rules and Regulations is identified. In the event that a Regulated Party has been issued an Enforcement Order, but fails to respond to the Enforcement Order in a satisfactory manner, such Regulated Party shall be added to the City's Priority FOG Business list for increased City inspection frequency. The City will track Enforcement Orders issued under these FOG Rules and Regulations, and all Priority

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FOG Business List City inspections, in its industrial wastewater databases. Once included on the Priority FOG Business list, the City's inspection frequency for the priority FSE or Multiple FSE Discharger is increased to once per month until the Enforcement Order has been appropriately addressed. When the Enforcement Order has been adequately addressed, the FSE or Multiple FSE Discharger shall be inspected by the City at least twice per year. Upon completion of two consecutive satisfactory inspections, the FSE or Multiple FSE Discharger can be removed from the Priority FOG Business list and returned to its standard inspection frequency.

6.1.2 FSE Inspection Criteria

Implementation of Kitchen Best Management Practices, and where applicable, operation and maintenance practices for Grease Control Device(s), are evaluated by the City during each facility inspection. Primary City inspection criteria include, but are not limited to the following, as applicable:

- Grease Control Device compliance with the 25% rule
  - Visual inspection of the Grease Control Device contents is performed to evaluate compliance with this requirement (section 3.3, above).
- Grease Control Device compliance with minimum pumping frequency (section 3.3 above).
  - Review of receipts/Manifests/service logs and invoices is performed to assess compliance with the minimum pump frequency requirements.
- Kitchen Best Management Practices and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.
  - Visual verification of posted materials performed during inspection.
- Employees of the food service establishment shall be trained once each calendar year regarding FOG Control measures and BMPs.
  - Review of training log/documentation performed during inspection.

7.0 Notification of Spill

In accordance with Municipal Code Section 22.240.430, in the event a Regulated Party is unable to comply with any of the requirements of these FOG Rules and Regulations due to a breakdown of equipment, accidents, or human error, or in the event that Regulated Party reasonable opportunity to know that his/her/its discharge will exceed the discharge provisions of these FOG Rules and Regulations, then such Regulated Party shall immediately notify the City of Ventura by telephone at 805 207 6516. If the material discharged to the Sewer System has the potential to cause or result in blockages or SSOs, the Regulated Party shall also immediately notify the Ventura County Public Health Department.

Confirmation of this notification shall be made in writing to the FOG Pretreatment Program Manager no later than five (5) working days after the date of the incident. The written notification shall state the date of the incident, if treatment equipment by-pass

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occurred, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.

Such notification shall not relieve Regulated Party of any expense, loss, damage or other liability which may be incurred as a result of damage or loss to the City of Ventura or any other damage or loss to person or property; nor shall such notification relieve the FSE of any fees or other liability which may be imposed by these FOG Rules and Regulations, the City of Ventura's Municipal Code, or other applicable law.

8.0 Enforcement

Municipal Code Article 5, Chapter 22.240 shall govern enforcement of the provisions of these FOG Rules and Regulations.

Pursuant to Municipal Code Sections 22.240.635, 22.240.640, 22.240.650, and 22.240.660 and the City's Enforcement Response Plan, any Regulated Party that is found to cause or contribute to FOG-related blockages or SSOs shall be issued a NoNC&C, NoV, a Compliance Order, Consent Order, or Emergency Suspension. Such Regulated Party shall be issued an Enforcement Order requiring repair or proper maintenance and/or cleaning of any defective Grease Control Device, or a properly sized Grease Control Device, if one is not already installed, approved by the FOG Pretreatment Program Manager.

If the Regulated Party already has an installed Grease Control Device, the City shall issue an Enforcement Order requiring, at a minimum, the Regulated Party to repair or increase the frequency of cleaning and/or grease removal from the Grease Control Device.

Any Regulated Party that fails to respond to City conditions or other requirements to implement Kitchen Best Management Practices, Grease Control Devices, or cleaning maintenance, monitoring, inspection, reporting or other measures or requirements will be issued an Enforcement Order.

If a Regulated Party fails to properly and satisfactorily respond to any Enforcement Order within the specified time period, the City shall place that Regulated Party on the Priority FOG Business List, and the City may exercise its discretion to elevate enforcement to the next level of Enforcement Order and action, as necessary to assure compliance with these FOG Rules and Regulations. Pursuant to Municipal Code Section 22.240.685, the City shall have authority to file an action in Superior Court to enforce any Enforcement Order issued pursuant to these FOG Rules and Regulations.

The City of Ventura shall have the authority, as set forth in the ERP, to issue administrative citations, following notice and opportunity for a hearing before the FOG

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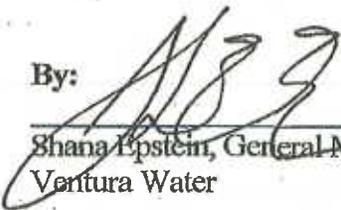
Pretreatment Program Manager, to impose fines as set forth in Municipal Code Section 22.240.690 for violations of the requirements of these FOG Rules and Regulations.

9.0 Approval of Deviation from Rules and Regulations

The Ventura Water General Manager or his/her designee may approve deviations from these FOG Rules and Regulations on such terms and conditions as are reasonably established in the FOG Pretreatment Policy by the Ventura Water General Manager so long as the deviations do not improperly or inappropriately excuse compliance with Municipal Code Article 5, Chapter 22.240, these FOG Rules and Regulations, or their objectives.

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**APPROVED**

By: 

Shana Epstein, General Manager of  
Ventura Water

Date: 11/26/2012

**APPROVED AS TO FORM FOR  
CITY OF SAN BUENAVENTURA**

By: 

Ariel Calonne, City Attorney

Date: 2-1-2012