

St. Johns County Utilities Oil and Grease Management Program

ORDINANCE 2008- 40

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE OIL AND GREASE MANAGEMENT ORDINANCE FOR ST. JOHNS COUNTY, FLORIDA; PROVIDING FOR GENERAL PROVISIONS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM REQUIREMENTS; PROVIDING FOR GENERAL CRITERIA; PROVIDING FOR DESIGN AND CAPACITY; PROVIDING FOR INSTALLATION; PROVIDING FOR MAINTENANCE; PROVIDING FOR WASTEWATER DISCHARGE PERMITS; PROVIDING FOR REPORTING REQUIREMENTS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM INSPECTIONS; PROVIDING FOR VIOLATIONS AND NONCOMPLIANCE; PROVIDING FOR PERMITS AND FEES; PROVIDING FOR ADMINISTRATIVE AND JUDICIAL ENFORCEMENT REMEDIES; PROVIDING FOR ORDINANCE ENFORCEMENT; PROVIDING FOR JURISDICTION; PROVIDING FOR ADMINISTRATIVE AND LEGAL ACTION; PROVIDING FOR SHOW CAUSE HEARINGS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM RATES AND FEES; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM FEE CALCULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of St. Johns County, Florida as follows:

SECTION 1. SHORT TITLE. This Ordinance shall be known and cited as the St. Johns County Oil and Grease Management Ordinance.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon its proper filing with the Department of State of Florida.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida, this 5th day of Aug, 2008.

BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS
COUNTY, FLORIDA

By: [Signature]
Thomas G. Manuel, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: [Signature]
Deputy Clerk

RENDITION DATE 08/08/08

Effective Date: 08/11/08

St. Johns County Utilities Oil and Grease Management Program

Ordinance 2008- 40

Oil and Grease Management Ordinance

St. Johns County Utility Department

P.O. Drawer 3006

St. Augustine, FL 32085

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Section 1 - General Provisions

1.1 Purpose and Intent

The purpose of this section is to establish the Oil and Grease Management Program for the County, which will provide uniform permitting, maintenance, and monitoring requirements. The objective of the Oil and Grease Management Program is to minimize the introduction of fat-soluble wastes to the collection system. This Ordinance shall apply to all Users of the Publicly Owned Treatment Works. The Ordinance provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the programs established herein.

Severability Provision

If any section, sentence, clause or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter. If any part of the service area established by this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining parts of the service area.

1.2 Definitions

Authorized Representative of the User:

- (a) If the User is a corporation:
 - (i) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (ii) The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (b) If the User is a partnership or sole proprietorship, the authorized representative shall be a general partner or proprietor, respectively.
- (c) If the User is a Federal, State, local governmental facility, or non-profit organization the authorized representative shall be a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (d) The individuals described in paragraphs (a) through (c), above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company.

Control Manhole: A manhole installed by the User at their expense to facilitate observation, sludge measurement, and/or sampling and testing of the process wastewater.

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County: The County of St. Johns, Florida, a political subdivision of the State of Florida, or where appropriate, the term may also be used as a designation for any duly authorized official or employee of the County.

Clean Water Act: The Federal Water Pollution Control Act, also known as the Clean Water Act (33 U.S.C. §§ 1251-1387).

Designee: One person authorized by the Utility Director to carry out duties required by this Ordinance.

Discharge: The introduction of wastewater and/or pollutants into the POTW by any commercial or domestic source.

Dwelling, Multi-Family: A building designed for, or occupied exclusively by two (2) or more families.

Enforcement Response Plan: A plan, required by DEP, Rule 62-625.500d, that includes the enforcement procedures for Users that violate this Ordinance.

Environmental Coordinator: The St. Johns County Utilities Environmental Coordinator or Supervisor.

EPA: The United States Environmental Protection Agency.

FOG (Fats, Oils and Greases): Materials, either in liquid or solid form, derived from animal and/or vegetable sources or from petroleum based products. These materials may include but are not limited to used fryer, grill or oven wastes, residue from meats and condiments, dairy products, motor oil and mechanical lubricants.

Food: any substance that is eaten or drunk including but not limited to breakfast, lunch, dinner items, dairy products and condiments.

FDEP: The Florida Department of Environmental Protection.

Florida Administrative Code (FAC): The codification of administrative rules to implement legislation approved by the legislature and the resultant Florida Statutes.

Florida Building Plumbing Code (FBPC): The Plumbing Section of the most current Florida Building Code.

FOG Generator: A County sewer system User who generates or has the potential to discharge fats, oils and greases into the County sewer system.

Garbage Grinder or Disposal: An electrical device that shreds solid or semi-solid waste materials, generally food-related, into smaller portions for discharge into the County's wastewater system.

Grease Interceptor/Trap: A County-approved device designed as an underground vault-type structure or holding tank that interrupts the flow of wastewater. A device constructed to separate, trap and hold fats, oils and greases (FOG) present in a User's discharge, installed outside of the building. The purpose of the interceptor/trap shall be to prevent FOG from entering the County wastewater system.

Hauler: A company that transports grease interceptor/trap contents from the generator to an FDEP or EPA permitted facility.

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Interference: A discharge which alone or in conjunction with another discharge(s) inhibits or disrupts the collections system or POTW, its treatment processes or operations, inclusive of sludge processes, use or disposal.

May: A permissive or discretionary directive.

Nonresidential Customers: All customers other than those living in single family dwelling units, including commercial, industrial, government, institutional, campgrounds, nursing homes, motels, hospitals, multi-family dwellings, and similar accounts.

Notice of Violation (NOV): A document issued by the County notifying a User that it has violated this Ordinance and/or pretreatment standards and requirements. Repeat notices may be accompanied by a fine that will escalate if the violation is not corrected.

Oil/Water Separator: A County-approved device designed and constructed to separate, trap and retain oil and grease substances derived from petroleum-based hydrocarbons that are found in the discharge from commercial Users, such as auto dealerships, car washes, or other automotive related facilities of the County wastewater system. The purpose of the separator is to prevent petroleum-based hydrocarbons from entering the County wastewater system and to improve the safety of said system for both County personnel and the general public.

POTW (Publicly Owned Treatment Works): A “treatment works,” as defined by Section 212 of the Clean Water Act (33 U.S.C. §§ 1251-1387) which is owned by the County. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of wastewater or industrial wastes of a liquid nature and any conveyances that convey wastewater to a treatment plant.

Pretreatment: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to introduction into the sewer system. The reduction or alteration can be obtained by physical, chemical, or biological processes, by process changes, or by other means except by dilution.

Pretreatment Specialist: The St. Johns County Utilities Pretreatment Department’s Lead Inspector.

Sewer: A pipe or system of pipes, force mains, gravity sewers, lift station, tank or conduit for carrying wastewater.

Sewer System: Any devices and systems used in the collection, transmission, storage, treatment, recycling and reclamation of commercial or domestic wastewater or industrial wastes of a liquid nature and any works, including land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from treatment; and including combined storm water and sanitary sewer system. Refer to POTW.

Shall: A mandatory directive.

Sludge: Liquid, semi liquid or solid material produced from food, petroleum based products and/or FOG.

Upset: An exceptional incident in which there is unintentional and temporary noncompliance with permitted pretreatment standards because of factors beyond the reasonable control of the User. An upset

St. Johns County Utilities Oil and Grease Management Program does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

User: Any person that discharges, causes, or allows the discharge of wastewater into the County Wastewater System or any Connected System.

Utility Director: The Director of Utilities of St. Johns County, Florida, or a Designee.

Wastewater: The spent or used water discharged from commercial or domestic facilities., whether treated or untreated, which contributes to a POTW's flow.

Wastewater Discharge Permit: A permit issued to a User by the County that authorizes the discharge of wastewater to the public sewer system. This permit may set certain conditions and/or restrictions to this discharge.

1.3 Oil and Grease Management Program Requirements

A. General Criteria

1. The discharge by a User to the POTW of certain liquids or wastes may be prohibited or limited by the provisions of this Section.
2. Wastes may be discharged to the POTW in accordance with conditions set forth in this Section.
3. Wastes containing FOG derived from animal or vegetable products shall be directed to a grease interceptor/trap prior to discharge into the sewer system.
4. Wastes containing FOG derived from petroleum based products shall be directed to the oil/water separator prior to discharge into the sewer system.
5. Sanitary facilities and other similar fixtures shall not be connected or discharged to the grease interceptor/trap or oil/water separator.
6. If garbage or food grinders are connected to the grease trap/interceptor a solids removal device shall be installed prior to discharge into interceptor/trap.
7. Liquid wastes shall be discharged to the grease interceptor/trap or oil/water separator through the inlet pipe only, and in accordance with the design/operating specifications of the device.
8. Grease interceptors/traps and oil/water separators shall be installed in a location that provides easy access at all times for inspections, sludge measurement, cleaning and proper maintenance, including pumping. The Utility Director or Designee shall approve the location of the grease interceptor/trap or oil/water separator prior to installation.
9. Grease interceptors/traps shall not be located in, or near, any part of a structure where food handling is done unless an exemption to this rule is granted by the County. Requests for exemptions must be submitted in writing to the Utility Director or Designee. If an exemption is granted and an under-the-sink indoor trap is approved:

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- a. The County shall approve the location and size of the grease trap prior to installation;
 - b. The trap shall be installed with a flow control;
 - c. The User shall be required to inspect the contents of the trap weekly;
 - d. An outdoor in-ground grease/interceptor of proper size shall be required if the trap is found to be in violation of this Ordinance more than three (3) times in a 12 month period.
10. Nonresidential establishments (Users) that prepare, process or serve food or food products and discharge to the County sewer system shall have an approved grease interceptor/trap. These include but are not limited to restaurants, grocery stores, hotels, hospitals, nursing homes, schools, factory kitchens, ice cream/yogurt/frozen custard shops, bars, caterers, and any facility found to potentially produce FOG. Nonresidential establishments that have the potential to discharge wastes containing residual petroleum based oil and grease, including but not limited to car washes, auto dealerships and automotive related facilities, shall have an approved oil/water separator. Other Users may be required by the Utility Director or Designee to install an approved grease interceptor/trap or an oil/water separator, as appropriate, for the proper handling of wastes potentially containing FOG.
 11. Multifamily dwellings, such as, triplexes, quadraplexes, townhouses, condominiums, apartment buildings, or apartment complexes which are found by the Utility Director or Designee to be contributing FOG in quantities sufficient to cause line stoppages within the collection system, lift station malfunctions, or necessitate increase maintenance on the collection system, said Authorized Representative of the User shall be directed to cease discharging oil and grease to the POTW and /or shall be required to install a grease interceptor/trap. The capacity of the grease interceptor/trap shall be determined on a case-by-case basis. For monitoring purposes, a control manhole or sample port shall be required and installed at the owner/operator's sole expense, as approved by the Utility Director or Designee.
 12. Automotive related facilities which contribute potential petroleum based wastes to the County sewer system shall install an oil/water separator. Oil/water separators shall be sized on an individual case-by-case basis using established design guidelines for the proposed facility. A control manhole or sample port shall be installed downstream.
 13. Grease interceptors/traps and oil/water separators shall be installed solely at the User's expense. Proper operation, maintenance and repair shall be done solely at the User's expense.
 14. Grease interceptors/traps and oil/water separators shall achieve an effluent oil and grease concentration of less than 100 mg/l (milligrams per liter).

The Utility Director or Designee may request that the User provide documentation on the design and expected performance of the grease interceptor/trap or oil/water separator. Information to be submitted shall include, but may not be limited to: size, capacity, shop drawings, schematics, plan details, performance data, materials of construction, installation instructions, and operation and maintenance manual.

15. Any requests for extensions and/or exemptions to program requirements, installation requirements, compliance schedules, permit fees and/or deadlines must be made in writing to the Utility Director or Designee at least fifteen days prior to the deadline, if a deadline is established. The written request shall include the reasons for the User's failure or inability to comply with the compliance date set

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forth, the additional time needed to complete the remaining work, and the steps to be taken to avoid future delays.

B. Design and Capacity

1. Grease interceptors/traps and oil/water separators shall be designed in accordance with this Ordinance and constructed in accordance with the applicable rules, regulations, and specifications including but not limited to the current Florida Building Plumbing Code, Florida Administrative Code, and other applicable State and local regulations.
2. The design of grease interceptors and oil/water separators shall be based on peak flow and where applicable, capable of treating and removing emulsions. Grease interceptor/traps and oil/water separators shall be sized to allow efficient removal (retention) of FOG from the User's discharge to the sewer system. These devices shall be sized on an individual case-by-case basis.
3. The minimum capacity of a grease interceptor/trap shall be 750 gallons. The maximum capacity of a single interceptor shall be 1250 gallons. The formula below shall determine the capacity required for a facility. If more than 1250 gallon capacity is required using the formula below, the device may be chambered in isolated 1250 gallon sections or two (2) or more devices may be installed in series.
 - Capacity in gallons =
(seating capacity) x (Gallons wastewater per seat) x (hours open/12) x (loading factor)At minimum, 750 gallon capacity is required.
4. The minimum capacity of an oil/water separator shall be 750 gallons. The maximum capacity of a single separator shall be 1250 gallons. The formula below shall determine the capacity required for a facility. If more than 1250 gallon capacity is required using the formula below, two (2) or more devices may be installed in series.
 - 6 cubic feet for 1st 100 square feet of area to be drained
+ 1 cubic foot for each additional 100 square feet of area to be drained into separator
(where 1 cubic foot = 7.48 gallons)
5. All grease interceptors/traps and passive (non-mechanical) oil/water separators shall be equipped with an inlet T and outlet T that break the water surface by at least 2 inches and extend to 12 to 18 inches from the bottom of the interceptor/trap.
6. All grease interceptors/traps and passive (non-mechanical) oil/water separators shall be equipped with a floatable sludge baffle and a solids sludge baffle.
7. Alternative FOG removal devices or technologies shall be subject to written approval by the Utility Director or Designee and shall be based on demonstrated (proven) removal efficiencies. Under-the-sink or indoor grease traps are prohibited for new facilities.
8. An adequate number of inspection and monitoring points, such as, a control manhole or sample port, shall be provided.

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C. Installation

1. New Facilities

On or after the effective date of this Ordinance, facilities with the potential to discharge FOG to the County sewer system which are newly proposed or constructed, or existing facilities which shall be expanded or renovated to include a food service or automobile related facility where such facilities did not previously exist, shall be required to install an approved grease interceptor/trap or oil/water separator. Grease interceptors/traps or oil/water separators shall be installed in accordance with this Ordinance prior to the opening or reopening of said facilities. A control manhole or sample port for monitoring purposes shall be required and installed at the owner/operator's sole expense, as approved by the Utility Director or Designee.

2. Existing Facilities

On or after the effective date of this Ordinance, existing food service or automotive related facilities discharging to the County sewer system shall be required to install an approved grease interceptor/trap or oil/water separator when any of the following conditions exist:

- a. The facility is preparing and/or serving food or providing automobile related services;
- b. The Utility Director or Designee finds the facility to be contributing FOG in quantities potentially sufficient to cause an upset or interference in the collections system or POTW, or necessitates increased maintenance on the collection system or POTW;
- c. The facility is remodeled or expanded to include or increase the potential for a FOG discharge.

The Utility Director or Designee shall determine the compliance date under this Subsection.

D. Maintenance

1. The User shall provide for all cleaning and maintenance of grease interceptors/traps or oil/water separators. Cleaning shall include the complete removal of all contents, including floating materials, wastewater, sludge solids and debris. Cleaning of outdoor grease interceptors/traps shall be performed by an FDEP or EPA certified waste hauler.
2. At minimum, grease interceptors/traps and oil/water separators shall be pumped out completely once a year. If it is determined by the County that annual pumping is inadequate then a more frequent pump out schedule, determined by the County, shall be required. Cleaning and maintenance shall include removal of materials from the tank walls, baffles, inlet Tees and outlet Tees.
3. Decanting, back-flushing or discharging of removed wastes back into a grease interceptor/trap or oil/water separator is prohibited.
4. Grease interceptors/traps shall be deep cleaned annually. Pressure washing or scraping walls, baffles, inlet and outlet Tees are acceptable methods of deep cleaning.
5. The User shall be responsible for maintaining grease interceptors/traps or oil/water separators in such condition for efficient operation. An interceptor/trap shall be out of compliance if the grease layer on

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top exceeds six inches, the solids layer on the bottom exceeds twelve inches, or if the combined sludge contents (floatable and solid) exceeds 20% of any device compartment's capacity.

6. Wastes removed from each grease interceptor/trap or oil/water separator shall be disposed of at a facility permitted to receive such wastes or at a location designated and permitted for such purposes, in accordance with the provisions of this Ordinance. In no way shall the pumpage be returned to any private or public portion of the collection system or the treatment plants without prior written approval from the Utility Director or Designee.
7. Additives to the grease interceptor/trap, oil/water separator or building discharge line system are prohibited unless approved by the County. Such additives shall include, but are not limited to, emulsifiers, enzymes, commercially available bacteria or other additives designed to absorb, purge, consume, treat, or otherwise eliminate grease and oils.
8. Flushing the grease interceptor/trap or oil/water separator with water having a temperature in excess of one hundred and forty degrees Fahrenheit is prohibited.
9. Grease interceptors/traps and oil/water separators shall be maintained in proper working order. Inlet and Outlet Tees shall not be obstructed by sludge, debris or be capped. Both Tees' shall have vents that remain clear and visible above the water surface. Lids shall have a water and gas tight seal and be intact.
10. If an under-the-sink or indoor trap exists or an exemption to the rule prohibiting them is granted:
 - a. The facility will be required to clean out all contents of the trap monthly, bimonthly, weekly or biweekly, to be determined upon inspection(s). The contents shall be disposed of in a manner to be approved by the County that is not harmful to the environment or wastewater system;
 - b. A deep cleaning (scraping of the walls, baffle, inlet and outlet) shall be require quarterly or monthly, to be determined upon inspection(s);
 - c. Trap sludge contents shall not exceed 20% capacity;
 - d. Lid, Seal, Baffle, Inlets and Outlets shall be approved by the County and maintained in proper working condition;
11. The User, at the User's sole expense, shall perform all maintenance and repairs of oil and grease management devices, including proper disposal of generated wastes.

E. Wastewater Discharge Permits

1. It shall be unlawful for any facility producing wastewater containing FOG to discharge into the County's collection system without authorization from the Utility Director or Designee. Authorization shall be given in the form of a Wastewater Discharge Permit. Application for a permit shall be made to the Utility Director or Designee. If, after examining the information contained in the Wastewater Discharge Permit application, it is determined by the Utility Director or Designee that the proposed facility does not conflict with the provisions of the Ordinance, a permit shall be issued allowing the discharge of such wastes into the collection system. Each Wastewater Discharge Permit shall be issued for a time not longer than five years from the date of issuance. The User shall apply for a permit reissuance a minimum of ninety days prior to the expiration of the User's existing permit. The terms

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and conditions of the permit may be subject to modification by the County during the term of the permit as limitations or requirements as identified in this Ordinance are modified or other just causes exist. The User shall be informed of any proposed changes in the issued permit at least sixty days prior to the effective date of the change(s). Any changes or new conditions in the permit shall include a reasonable schedule for compliance.

2. As a condition precedent to the granting of a Wastewater Discharge Permit, the recipient under this section shall agree to hold harmless the County and the County's employees from any liabilities arising from the User's operations under this permit.
3. The County shall set fees for issuance and annual renewal of Wastewater Discharge Permits. The fees shall be established to ensure full cost recovery of program expenditures. See Attachment 1.

F. Reporting Requirements

1. A log that confirms pumping, hauling, and disposal of waste shall be kept to track pumped wastes from grease interceptors/traps and oil/water separators. This manifest shall contain the following information:

Generator Information:

Facility Name
Contact Person
Address
Telephone Number

Transporter Information:

Company Name
Contact Person
Address
Telephone Number

Destination Information Disposal Site or Facility:

Company Name
Permit Number(s)
Contact Person
Address
Telephone Number

Pumping Information:

Date
Time
Volume pumped
Transporter Name
Transporter Signature
Witness Name
Witness Signature

2. The User shall maintain a log of pumping activities on site for the previous twelve months. The County personnel shall have immediate access to the current pumping log. This log shall be readily available upon FOG Program inspections.

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3. The User shall maintain a file of records and other documents pertaining to the facility's grease interceptor/trap or oil/water separator. The file contents shall include, but are not limited to, the record (as-built) drawings, record of inspections, log of pumping activities and receipts, log of maintenance activities, hauler information, disposal information, and monitoring data. The file shall be available upon request for inspection and review by the Utility Director or Designee and must be kept for a running five years.
4. If a violation of this Ordinance is discovered upon a scheduled inspection or if a problem such as, line stoppages, or increased maintenance on the collection system, in the POTW system is determined to be a result of the discharge from a facility, additional inspections may be required. For each additional inspection conducted the County shall charge the User a one hundred dollar (\$100.00) Additional Inspection Fee. If there is no immediate threat of upset, interference or potentially harmful discharge, additional inspections shall not be conducted within one week of scheduled inspection.
5. The Utility Director or Designee may require the User to provide, operate and maintain, at the User's expense, appropriate monitoring facilities, such as a control manhole, that are safe and accessible at all times, for observation, inspection, sludge measurement, sample collection, and flow measurement of the User's discharge to the POTW. The Utility Director or Designee may impose additional limitations and monitoring requirements for the discharge to the POTW in accordance with the provisions set forth in this Ordinance.
6. Concrete lids, shipping lids or lids that create a hazard or liability issue shall be prohibited on grease interceptors/traps and oil/water separators. Existing facilities with these lids in place shall replace them at the next scheduled pump out.

G. Oil and Grease Management Program Inspections

1. County pretreatment personnel shall conduct an inspection on all facilities with grease interceptors/traps or oil/water separators with a 750 gallon capacity or greater annually.
2. Facilities with devices with a capacity between 100 gallon and 750 gallon shall be inspected twice (2 times) per year.
3. Grease interceptors/traps having a capacity of less than 100 gallons shall be inspected quarterly.
4. The following requirements shall be met. If an inspection by the St. Johns County Pretreatment Department finds one or more of the below requirements are not being met an Additional Inspection Fees may be charged for a follow up inspection or a Notice of Violation may be issued to the facility:
 - a. The grease interceptor/trap or passive oil/water separator shall be readily accessible, with vented Inlet and Outlet Tees that break the water surface and extend to within 12 – 18 inches from the bottom of the floor, baffle(s) that are intact, and lid(s) with a good seal. Automatic oil/water separators shall be operating effectively.
 - b. The contents of the interceptor or separator shall not exceed 20% total capacity.
 - c. Concrete lids shall be replaced with either manhole lids for traffic bearing areas or plastic lids or manhole lids for non-traffic bearing areas.

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- d. A pumping log shall be posted or be readily accessible for inspection. Information on this log shall include at minimum: hauler (pumper) name, last pump date, volume pumped, and pumping frequency.
- e. If a fryer is used, the used oil shall be recycled. A form of documentation shall be on site. The storage container shall have a lid that remains closed at all times other than during use.
- f. Corrosive chemicals shall not be stored near floor drains. If they are, they shall be secondarily contained to prevent spills and/or leaks.

H. Violations and Noncompliance

1. The Utility Director or Designee shall issue a Notice of Violation to a User for:
 - g. Failure to properly maintain (clean-out or pump) the grease interceptor/trap or oil/water separator in accordance with the provisions of this Ordinance;
 - h. Contributing to a FOG related sewer overflow or potential FOG related sewer overflow if the facility's grease interceptor/trap or oil/water separator is out of compliance with this Ordinance upon investigation of the incident;
 - i. Failure to provide access to the facility for inspections, pumping logs and records, or access to oil and grease management devices for sludge measurements and sampling, by an authorized County employee;
 - j. Failure to timely obtain or renew a Wastewater Discharge Permit;
 - k. Failure to timely pay program fees; or
 - l. Failure to correct a previous violation by an established deadline.
2. The Utility Director or Designee may issue a Notice of Violation to a User for any violation of this Ordinance.
3. The Utility Director or Designee shall issue a Notice of Significant Noncompliance to a User for failure to resolve a violation previously addressed by the County. Multiple violations shall require that fines be issued by the County to a User in escalating amounts beginning with a fine of twenty-five dollars (\$25) per day per violation. These fines shall not exceed five hundred dollars (\$500.00) per violation per day.
4. If the County determines that a User is responsible for a sewer system blockage, overflow, or mechanical failure, the User shall be issued a Notice of Significant Noncompliance and charged a fine of five hundred dollars (\$500.00) plus repair costs.
5. Once a Notice of Violation or Notice of Significant Noncompliance is received the User must resolve the violation within fifteen (15) business days or submit a compliance schedule with corrective actions to be taken and date(s) compliance shall be achieved. Fines may be reduced or waived upon the discretion of the Utility Director or Designee.

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6. If a User violates or continues to violate the provisions set forth in this section or fails to initiate/complete corrective action within the specified time period in response to a Notice of Violation or Notice of Significant Noncompliance, the Utility Director or Designee may pursue one or more of the following options:
 - a. Charge the User one hundred dollars (\$100.00) for each additional inspection conducted as a result of the violation;
 - b. Pump, maintain and/or repair the grease interceptor/trap or oil/water separator, and place the fee for this service on the User's monthly sewer bill;
 - c. Impose an administrative fine or penalty, in accordance with the rules and procedures set forth in this Ordinance;
 - d. Revoke the facility's Wastewater Discharge Permit;
 - e. Suspend or terminate water and sewer service; or
 - f. Any combination of the above enforcement actions.
7. Should water and/or sewer service be suspended or terminated, the User shall pay all outstanding fees, penalties, and other utility charges prior to reinstatement of water and sewer service.
8. If the User shows good and timely correctable actions for a violation, the permit shall not be revoked nor shall service be terminated.

I. Permits and Fees

1. The Utility Director or Designee shall issue a Wastewater Discharge Permit to the Users in the St. Johns County Oil and Grease Management Program. A User shall be required to obtain a permit if food is prepared/served at the facility or if automotive related activities are performed on site.
2. Each facility in the Oil and Grease Management Program shall be charged an Annual Wastewater Discharge Permit Fee of \$225.00. This fee was determined using the chart in Attachment 1 of this Ordinance. Other reasonable fees may be adopted by the County to implement and enforce the provisions of the Oil and Grease Management Program.
3. Any facility that possesses a current Wastewater Discharge Permit must notify the County upon a sale, change of location or transfer of business. If significant changes or upgrades are to be made, the User must submit a new permit application and the County shall issue a new Wastewater Discharge Permit.

Section 2 – Enforcement Remedies and Jurisdiction

A. Administrative and Judicial Enforcement Remedies

1. It shall be unlawful for any Person to violate any provision of this Ordinance. Any Person who violates a provision of this Ordinance may be prosecuted in the same manner as misdemeanors are prosecuted pursuant to Section 125.69, Florida Statutes (2007). Such violations shall be prosecuted in the name of the state in a court having jurisdiction of misdemeanors by the prosecuting attorney

St. Johns County Utilities Oil and Grease Management Program

thereof and upon conviction shall be punished by a fine not to exceed five hundred dollars (\$500.00) per offense per day, or by imprisonment in the County jail not to exceed 60 days or by both such fine and imprisonment. Each day that an offense or violation of any provision of this Ordinance continues shall be deemed a separate offense.

2. This Ordinance shall be enforced in accordance with the current St. Johns County Utilities Enforcement Response Plan. Applicable fines shall apply.
3. This Ordinance may be enforced in accordance with Chapter 162 of the Florida Statutes (2005). A code enforcement officer may issue a citation for the violation of any provision of this Ordinance. Applicable civil penalties may apply.
4. Any violation of this Ordinance may be restricted by injunction, including a mandatory injunction, and otherwise abated in any manner provided by law in suit or action filed by the St. Johns County Board of County Commissioners.
5. These enforcement and penalty provisions are supplemental in nature and are not intended to prohibit the County from seeking any remedy available at law or equity.
6. The Utility Director may enter into Consent Orders with noncompliant Users, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance with any provision of this Ordinance. Such documents will include specific action to be taken by the User to correct the noncompliance within a time period specified by the document.
7. The County may conduct periodic independent compliance monitoring of a User's grease interceptor/trap or oil/water separator, discharge or connected sewer systems. In the event that a violation, an upset, interference, or a potentially harmful discharge is discovered one or more of the following additional enforcement procedures may be used by St. Johns County:
 - a. Notification that a violation has occurred. Such notification shall be provided to the Utility Director or Designee within 24 hours of discovery of the violation and shall include the time of discharge, the duration, and the magnitude of the discharge.
 - b. The Utility Director or Designee may require the immediate halt of a Discharge if it is deemed an immediate threat to public health or the County Water or Wastewater System.
8. If the County discovers a violation that is not a potential cause of an upset, interference or potentially harmful discharge the County shall issue a Notice of Violation and a fifteen (15) day compliance schedule.
9. It is unlawful for any Person to knowingly make any false statement, representation, or certification in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Ordinance, Wastewater Discharge Permit, or order issued hereunder, or to falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under this Ordinance.

St. Johns County Utilities Oil and Grease Management Program

B. Ordinance Enforcement

In accordance with the current St. Johns County Utilities Enforcement Response Plan and this Ordinance:

1. The first violation of this Ordinance, or local, state or federal standards and/or requirements shall mandate either a Notice of Violation or, if applicable, an Additional Inspection Fee of one hundred dollars (\$100.00) for a follow up inspection, or both.
2. A second violation of the same standard/requirement(s) shall mandate either a second Notice of Violation or, if applicable, a second Additional Inspection Fee of one hundred dollars (\$100.00) for a second follow up inspection, or both.
3. The third violation of the same standard or requirement shall mandate a third Notice of Violation with a twenty-five dollar (\$25.00) fine per violation per day and applicable Additional Inspection Fees until violation(s) are proven to be resolved. Burden of proof shall be the User's responsibility.
4. All subsequent violations shall mandate an escalating fine not to exceed \$500.00 per violation per day, possible permit revocation and service termination.
5. If it determined that a User is responsible for a sewer system blockage, overflow, or mechanical failure, the User shall be issued a Notice of Significant Noncompliance and charged a fine of five hundred dollars (\$500.00) plus repair costs.
6. The County may assess additional penalties in accordance with the current and updated versions of the St. Johns County Utilities Enforcement Response Plan.

C. Jurisdiction

All sections of this Ordinance shall apply to the unincorporated areas of St. Johns County, less such unincorporated areas that are located from time to time within any Water and Wastewater utility service area of any municipality when such areas are created by interlocal agreements between such municipality and the County, while such interlocal agreements are in effect, or are located from time to time within the Water and Wastewater utility service area of any privately owned utility.

D. Further Administrative /Legal Action

Administrative/Legal action may include, but shall not be limited to the following:

1. Petition for Federal or State enforcement, which is provided by applicable Federal or State laws to ensure compliance by a User of applicable pretreatment standards.
2. The Utility Department/County may file a petition in the Circuit Court of St. Johns County or any other court having jurisdiction, seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this division or other applicable law or regulation.
3. The Utility Director reserves the right to assess fines on a case-by-case assessment. Suit may be brought to recover any and all damages suffered by the County as a result of any action or inaction of any User or other person who causes or suffers damage to occur at the POTF, or for any other recompense, loss, or damage of any kind of nature suffered by the County.

St. Johns County Utilities Oil and Grease Management Program

E. Show Cause Hearing

1. The Utility Director or Designee may order that a User show cause before the Director or the Board of County Commissioners to show cause why a violation has not or can not be resolved or proposed enforcement actions should not be taken.
2. A User may request a Show Cause Hearing to show cause why a violation has not or can not be resolved or proposed enforcement actions should not be taken.

Section 3 - Oil and Grease Management Program Rates And Fees

A. General

A uniform schedule of rates has been established for the use of the services and facilities of the municipal sanitary sewer system by each dwelling unit, business establishment, church, hospital and every other type of private or public building, structure or activity producing wastewater or wastes. Effective on the monthly rates for Users of the County's sanitary sewer system is detailed in the remainder of this section.

B. Oil and Grease Management Program

The current schedule of fees for the Oil and Grease Management Program, which becomes effective upon adoption of this revision of this Ordinance by the County Commission, shall include:

1. Annual Wastewater Discharge Permit Fee of two hundred and twenty-five dollars (\$225.00) to be invoiced upon the issuance of the initial Certificate of Discharge and every year the permit is active.
2. Additional Inspection Fees (other than scheduled inspection) for compliance purposes shall be one hundred dollars (\$100.00) per inspection.
3. The County may adopt other reasonable fees as deemed necessary to carry out the requirements and programs of this Ordinance. These fees relate solely to the matters covered by this Ordinance and are separate from all other fees, fines, and penalties assessed by the County. These fees are charged to recover the costs incurred by the County to implement and enforce the provisions of this Ordinance.
4. All rates, deposits, charges, fees, and costs established or contemplated by this Ordinance may be modified or established at any time by Resolution of the Board of County Commissioners.

St. Johns County Utilities Oil and Grease Management Program

Attachment 1

Oil and Grease Management Program Fee Calculations

Abbreviations:

- PS = Pretreatment Specialist
- EC = Environmental Coordinator
- UE = Utility Engineer
- UA = Director of Utilities or Superintendant
- CS = Customer Service
- CL = Contracted Laboratory

Task	Job Detail	by	Hours spent/week	Salary/Cost	Cost/yr
Permitting	Reviewing applications, renewals, writing permits	PS	4	\$ 21.00	\$ 4,200.00
Inspection	Annual inspection, follow up inspections, sludge measurement, reporting.	PS EC	8	\$ 21.00 \$ 32.00	\$ 21,000.00
Program Operations	Customer relations, phone calls, site visits	PS	8	\$ 21.00	\$ 8,400.00
Plan Approval	Review plans, DBPR forms, details, shop drawings, specs, etc...	UE	1	\$ 20.00	\$ 1,000.00
Utility Admin time	Approve Enforcement Actions, Show Cause Hearings	UA	0.25	\$ 50.00	\$ 600.00
Billing Dept. Time	Bill Users for annual fees, inspection fees and fines	CS	2	\$ 15.00	\$ 1,500.00
Paperwork	Enter data into a database, record management, documentation, etc.	PS	8	\$ 21.00	\$ 8,400.00
Equipment	Truck, tools, laptop, software (est. for 1 yr)	PS EC	n/a	\$ 1,500.00 \$ 150.00 \$ 150.00 \$ 300.00	\$ 2,100 .00
Misc. Equipment	Cleaning supplies, paper/envelopes, mail and certified mail	PS	n/a	\$ 100.00 \$ 300.00 \$ 350.00	\$ 800.00
Fuel	Fuel for vehicle (est. for 1 yr.)	PS EC	16	\$ 3.50 / gal x 18 gal x 12 mo	\$ 800.00
Lift Station Monitoring	Annual O&G sampling at Lift Stations and potential SSO investigations	PS EC	0.5	\$ 21.00 \$ 32.00	\$ 1,300.00
O&G Sample Analysis	Laboratory analyses of annual LS samples and quarterly WWTP samples	CL	n/a	\$ 87.00 x 50	\$ 4,400.00
Education	Create info sheets, pamphlets, logs, details, public education programs etc.	PS	2	\$ 21.00	\$ 2,100.00
Total expenditures					\$ 56,600.00
Less estimated Additional Inspection Fees (100 per year @ \$100.00 each)					- \$ 10,000
Less Fines for Third and subsequent NOVs (12 @ \$25.00/day for 5 days)					- \$ 1,500
Total Annual Cost					\$45,100
Estimated number of facilities in Program at one time					200
Total Annual Permit Fee per Facility					\$ 225.00

The St. Augustine Record

COPY OF ADVERTISEMENT

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **KAREN J BRANNON**

who on oath says that she is an Employee of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a **NOTICE OF HEARING**

In/ the matter of **ADOPT ORDINANCE/OIL AND GREASE MGMT**

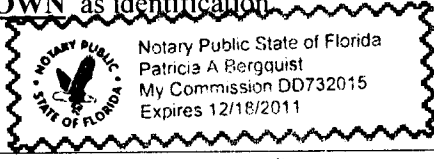
was published in said newspaper **JULY 22, 2008.**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 22nd day of **JULY 2008.**

by *Karen J Brannon* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification

Patricia A. Bergquist



(Signature of Notary Public)
PATRICIA A BERGQUIST

(Seal)

**NOTICE OF PUBLIC HEARING BY THE
ST. JOHNS COUNTY
BOARD OF COUNTY COMMISSIONERS**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on **Tuesday, August 5, 2008 at 9:00 a.m.** in the County Auditorium at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S.1 North, St. Augustine, Florida, to consider adoption of the following ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE OIL AND GREASE MANAGEMENT ORDINANCE FOR ST. JOHNS COUNTY, FLORIDA; PROVIDING FOR GENERAL PROVISIONS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM REQUIREMENTS; PROVIDING FOR GENERAL CRITERIA; PROVIDING FOR DESIGN AND CAPACITY; PROVIDING FOR INSTALLATION; PROVIDING FOR MAINTENANCE; PROVIDING FOR WASTEWATER DISCHARGE PERMITS; PROVIDING FOR REPORTING REQUIREMENTS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM INSPECTIONS; PROVIDING FOR VIOLATIONS AND NONCOMPLIANCE; PROVIDING FOR PERMITS AND FEES; PROVIDING FOR ADMINISTRATIVE AND JUDICIAL ENFORCEMENT REMEDIES; PROVIDING FOR ORDINANCE ENFORCEMENT; PROVIDING FOR JURISDICTION; PROVIDING FOR ADMINISTRATIVE AND LEGAL ACTION; PROVIDING FOR SHOW CAUSE HEARINGS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM RATES AND FEES; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM FEE CALCULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by parties interested prior to the public hearing.

Interested parties may appear at the public hearing and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact ADA Coordinator, at (904) 209-0650 at the St. Johns County Courthouse, 4010 Lewis Speedway, Room 276, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
By: Patricia DeGrande, Deputy Clerk
L2039-8 July 22, 2008**