

**Town of Smithfield, North Carolina**  
**Oil and Grease Ordinance**  
**Article IV. Sanitary Sewer Use**

**Sec. 18-140 Purpose.**

This ordinance is intended to aid in the prevention of sanitary sewer blockages and obstructions caused by the introduction, discharge and contribution of fats, oils, greases, grease complexes, scum, sludge and other organic polar compounds into the Town's wastewater collection system or publicly-owned treatment works by commercial, industrial, institutional and all other non-residential activities.

**Sec. 18-141 Definitions.**

- (1) "Town" shall mean the Town of Smithfield, North Carolina, and its utility service area.
- (2) "Person" shall mean any actual person, corporation, partnership, unincorporated association, and any governmental entity or political subdivision and departments and agencies thereof.
- (3) "Grease" shall mean all greases, grease complexes, fats, oils, scum, sludges and all other organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. Such substances are detectable and measurable using analytical procedures established in 40 C.F.R. 136.
- (4) "Wastewater" shall mean any substance introduced, contributed to, or discharged into the Town's wastewater collection system or publicly-owned treatment works ("POTW").
- (5) "Grease trap" or "grease interceptor" shall mean a device for separating and retaining waterborne greases before the wastewater which contains such grease exits the grease trap or interceptor into the Town's wastewater collection system or POTW. The grease trap or interceptor also collects settleable solids generated by or incidental to commercial, industrial and food preparation activities.
- (6) "Cooking establishment" shall mean any person primarily engaged in the activities of cooking, preparing, serving or otherwise making available for human consumption any form of foodstuff, and which uses one or more of the following cooking or preparation methods in connection with such activities: cooking or preparation by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, poaching, or any type of cooking or preparation that produces a hot non-potable product in or on a receptacle that requires washing, rinsing or other form of cleaning. Such establishments include, but are not limited to, restaurants, cafeterias, extended care facilities, school

cafeterias (public and private), and daycare facilities where meals for more than six (6) children are prepared, served or otherwise made available for human consumption.

- (7) “Non-cooking establishment” shall mean any person primarily engaged in the rendering or preparation of pre-cooked foodstuffs that do not require or involve any form of cooking. Such establishments include, but are not limited to, establishments that are primarily engaged in the rendering preparation of cold dairy and frozen foodstuffs.
- (8) “User” shall mean any person primarily engaged in any commercial, industrial, institutional or other non-residential activity who introduces, contributes or discharges (or causes or permits the introduction, contribution or discharge of) wastewater into the Town’s wastewater collection system or POTW, including but not limited to any person who introduces, contributes or discharges wastewater into the wastewater collection system or POTW through any mobile source.
- (9) “Commercial establishment” and “industrial establishment” shall mean any user that has the potential to use, contribute to or otherwise impact the Town’s wastewater collection system or POTW. Such establishments include, but are not limited to, maintenance facilities, repair facilities and equipment cleaning facilities.

**Sec. 18-142 Grease Trap and Interceptor Installation, Maintenance, Record-Keeping and Removal.**

- (1) No later than one (1) year after adoption of this ordinance, all users shall install grease traps or interceptors designed to limit the introduction, contribution and discharge of greases into the Town’s wastewater collection system or POTW. Grease traps and interceptors with appropriate sampling or inspection points shall be installed at the user’s expense whenever any user operates a commercial, industrial, or institutional cooking establishment. Grease traps and interceptors must have a minimum capacity of one thousand (1,000) gallons or more as required to effect a grease concentration maximum of 200 mg/l.
- (2) Alternative methods of compliance may be approved by the Town if the user demonstrates that compliance with this ordinance is impossible or impractical at the time of adoption of this ordinance as a result of limited space. However, any such proposed alternative method of compliance will be required to meet the performance criteria specified in Section 18-142(1) of this ordinance, and the user must adequately demonstrate to the satisfaction of the Town that the proposed alternative method will satisfy those performance criteria. In addition, any such alternative method must be cleaned at a more frequent interval than is required of grease traps and interceptors under Section 18-142(5) of this ordinance. Prior to approval of any such proposed alternative method of compliance, documentation of the proposed method’s actual performance criteria must be submitted to the Town’s Enforcement Official or Public Utilities Director for review and approval.

- (3) Grease traps and interceptors may also be required in other facilities, as deemed necessary by the Town's designated Enforcement Official or Public Utilities Director.
- (4) Upon the prior written approval of the Public Utilities Director, non-cooking establishments may be exempted from the requirements of this ordinance after an inspection of the subject premises and submission of adequate supporting documentation, as deemed necessary in the sole and absolute discretion of the Public Utilities Director. At a minimum, such supporting documentation shall include: blueprints of the subject premises, a full and detailed description of the operations and activities at the subject premises, and a full and detailed list of all potential sources of grease at the subject premises.
- (5) Users shall empty and service grease traps and interceptors to comply with the performance criteria in Section 18-142(1) of this ordinance as often as necessary, but in any event no longer than every sixty (60) days. The Town may require a specific schedule if deemed necessary by the Public Utilities Director. Under-the-counter types of grease traps and interceptors shall be cleaned at least daily, and shall comply with the performance criteria in Section 18-142(1) of this ordinance. There shall be no reintroduction of wastewater back into the grease trap or interceptor unless and until said wastewater has been proven to contain 200 mg/l or less of grease. Under no circumstances shall the sludge or scum layer be reintroduced or discharged into the Town's wastewater collection system or POTW.
- (6) Users shall supply (i) an adequate sampling point downstream of the grease trap or interceptor, prior to mixing with other sanitary flows, and (ii) an accessible entry into each chamber of the grease trap or interceptor. The minimum requirement for the sampling point shall be a four inch (4") vertical clean-out. The Town shall have the right to inspect at any time and without prior notice.
- (7) Users shall retain detailed records on-site for a minimum of three (3) years reflecting all maintenance carried out pursuant to this ordinance. At a minimum, such records shall contain the following information: date of service, name of the employee involved, and a receipt reflecting all services rendered by the waste hauler providing the service.
- (8) Users are required to keep the grease trap or interceptor free of inorganic solids such as grit, towels, gloves, cigarettes, eating utensils, etc., which could clog or settle in the trap or interceptor, thereby reducing the effective volume or capacity of the trap or interceptor.
- (9) Users are required to ensure that all waste material removed from grease traps and interceptors is disposed of in a manner that complies with all federal, state and local statutes, rules, regulations, policies and ordinances.

- (10) Except as provided herein, for a period of one (1) year following the adoption of this ordinance, no enforcement actions will be taken under this section for failure to achieve the performance criteria specified in Section 18-142(1) of this ordinance. If, during such period, (i) an obstruction of any of the Town's sanitary sewer main(s) occurs and causes a sewer overflow, spill, leak or other event with any environmental impact, and (ii) such overflow, spill, leak or other event may be attributed in part or in whole to a particular user, then the Town will seek enforcement action under the Sewer Use Ordinance, and/or the Pretreatment Enforcement Plan. For purposes of this section, an overflow, spill, leak or other event shall be deemed to have an environmental impact when (i) such overflow or other event involves an amount of wastewater equal to or in excess of one thousand (1,000) gallons, or (ii) any amount of wastewater reaches any body of surface water.

**Sec. 18-143 Enforcement.**

The Town shall enforce this ordinance pursuant to the provisions of Section 18-157 of the Town's Code of Ordinances and/or the Town's Pretreatment Enforcement Plan.

ADOPTED this the 6<sup>th</sup> day of September, 2005.

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William H. Jordan, Jr. Mayor

ATTEST:

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Debra W. Holmes, Town Clerk