



BOARD OF HEALTH  
**TOWN OF FOXBOROUGH**  
MASSACHUSETTS 02035

**DRAFT #2**

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## **Town of Foxborough Board of Health Fats, Oils and Grease (FOG) Regulations**

The Town of Foxborough Board of Health, in accordance with, and under the authority granted by Section 31 of Chapter 111 of the General Laws of the Commonwealth of Massachusetts hereby adopts the following rules and regulations relative to the generation and management of fats, oils and grease and maintenance of permitted sewer and septic systems within the Town of Foxborough.

### **Purpose:**

These regulations are adopted in an effort to protect the public health, safety, and the environment relative to the generation of fats, oils, and grease (FOG) when discharged into sewer and septic systems. These regulations provide requirements and standards relative to the management of FOG and the maintenance of systems conveying, collecting, and storing these waste products. The goal of these regulations is to help prevent plumbing system obstructions, premature septic system failure, and sanitary sewage overflows that subject the community to unsanitary conditions of wastewater exposure which increase the potential of disease transmission, is a potential source of contamination of drinking water supplies, and endangering the balance of the wetland ecosystems in Foxborough.

### **Definitions:**

**Best Management Practice(s):** means a cultural or engineering technique, or a management strategy, that has been determined and accepted to be an effective and practical means of preventing or reducing non-point source pollution in a local area.

**FOG (Fats, Oils, Grease):** means organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in the United States Code of Federal Regulations 40 CFR 136, as may be amended from time to time.

**Food Service Establishment (FSE):** includes, but is not limited to, any facility preparing and/or serving food for commercial use or sale. This includes restaurants, cafés, lunch counters, cafeterias, hotels, hospitals, convalescent homes, factory or school kitchens, catering kitchens, bakeries, grocery stores with food preparation and packaging, meat cutting and preparation (excluding grocery stores with only food warming operations), meat packing facilities and other food handling facilities not listed above where fats, oil and grease may be introduced into the community sewer system and cause line blockages and sewer overflows.

Grease interceptor/trap (sometimes called separators): for the purposes of this document means an interior or exterior multi-compartment device designed to retain grease from one or more fixtures; it shall be of a size and design in compliance with all current Building and Plumbing codes adopted by the Town.

Grease trap: for the purposes of this document means an exterior device designed to retain grease from one to a maximum of four plumbing fixtures.

Sewer: means all sewers and facilities operated for carrying sewage including private septic systems.

Yellow grease: is the used oil from fryers disposed of in a collection container located outside the building.

**Effective Date:**

These regulations become effective upon the date of the signature of the Foxborough Board of Health (Board). At such time:

1. All existing food service establishments with external grease trap units are required to have a contract with a licensed septic hauler company that is permitted with the Town of Foxborough. External grease traps must be inspected once each month on a set schedule and must be pumped if the fats, oils, grease, (FOG) and sludge layers are 25% of the effective depth of the trap or must be pumped every 3 months, whichever is sooner. This enforcement action will be equivalent to the requirements under 310 CMR 15.351(2) (Title 5).
2. All FOG interceptors located within the establishment must be inspected and cleaned once each month on a set schedule.
3. Establishments that are closed for periods of time which exceed 30 consecutive days are exempt from pumping and inspecting FOG systems during those months which the establishment is closed. Proof of temporary closure must be provided to the Board of Health upon request.
4. Establishments can petition the Board of Health to adjust the maintenance schedule for interceptors. The petition must be in writing and include six months of maintenance reports and supporting documentation from a licensed septic hauler or plumber with a detailed explanation for the adjustment to the cleaning frequency. Variances to the above stated maintenance schedule will be approved at the discretion of the Board of Health and reviewed on a yearly basis. The Board may specify additional FOG management requirements as a condition of the approval.
5. All food service establishments must keep maintenance logs for all FOG traps and interceptors and must have these documents available to the Town of Foxborough upon inspection.
6. All food service establishments that have grease interceptors must have proper FOG signage (see State of Massachusetts Plumbing Code 248 CMR 10.09 (2m) (3)).
7. Biological and/or chemical treatments are not permitted for use in grease traps and interceptors in the Town of Foxborough.
8. All food service establishment staff and Septic/FOG Haulers are required to be trained on FOG management and maintenance practices. The following training is required and will constitute appropriate "Certification":

- Food Service Managers and Septic/FOG Hauler Managers: Must attend a Foxborough FOG Program Training Class approved by the Board of Health. At least one staff member who maintains this certification must be working during operational hours. Proof of Certification will be required as part of the 2012 Food Service permit renewal.
- All other food service staff and Septic/FOG Hauler staff: Must read the self training materials provided by the Board of Health and receive any additional training by management staff as needed. The business will keep a staff training log sheet with the names, signatures, and date the staff member received training. This log will be kept on site and must be available for viewing at any time by the Board of Health. Review of training logs will be part of the Board of Health FOG Inspections starting January 2012.

Certification is valid until and unless changed or otherwise modified by the Board of Health.

9. All establishments that handle FOG must have spill cleanup stations and/or kits with grease absorbent pads and/or cat litter or a similar product to cleanup FOG spills and prevent (slip, trip and fall) injury in the workplace.
10. All temporary food service establishments that use, generate, or store FOG at individual events will be required to have a written FOG management plan before a temporary food service permit will be issued.
11. If an establishment is in violation of proper grease trap/interceptor maintenance, the Board of Health may require the facility to install a grease trap monitoring system at the owner's expense. The data from this monitoring device must be submitted to the Board of Health monthly, on a set and agreed upon schedule.
12. All Septic Haulers that pump an external grease trap within the Town of Foxborough must complete a Grease Trap Service Report form. If the form is different from that supplied by the Board of Health, it must contain the same information and must include the percent of FOG and solids in the tank and the condition of the tank and T's **if pumping is not required** at the time of inspection. This report must be filled out for every pump-out or inspection and should be submitted to the customer at the time of service. All manifests must be submitted to the Board of Health within sixty (60) days of a pumping service.
13. Establishments on Town sewer with FOG Control Program variance issued by the Water/Sewer Department Superintendant will take precedence over portions of this regulation based on the nature of the variance.
14. There will be a FOG plan review fee of \$50.00 for all new food service establishments and renovations on existing food service establishments.
15. Failure to comply with these regulations will result in re-inspection fees of \$50.00 per inspection. Violators will be required to attend a Board of Health hearing that may result in suspension or termination of a food permit.
16. As of January 2012 all Septic/FOG Hauler trucks that service systems in the Town of Foxborough will be required to have a Septic/FOG Hauler Permit. Permitted FOG Haulers will be issued a truck/trailer sticker for each truck permitted. This yearly sticker must be displayed on the truck/trailer at all times. FOG Haulers must provide a list of all FOG customers in Foxborough as part of the permit application.
17. All Septic Haulers must have strict conformance to the FOG regulations for pumping and maintenance under the Board of Health FOG Control Regulations for systems on town sewer and 310 CMR 15.351(2)

(Title V) for private onsite septic systems. Failure to comply with these regulations may result in the loss of Permit for the year and repeat offenses can result in a permanent loss of permit at the discretion of the Board of Health.

18. If a Hauler is found to be illegally discharging FOG under any Federal, State, or Local laws this will result in the loss of all FOG Permits indefinitely and could also face criminal charges.
19. As of January 2012 all food service establishments in the Town of Foxborough that use, generate, or store FOG will be required to hold a FOG Permit.

Fee Schedule:

- \$50.00 per year for establishments with up to 3 grease interceptors/traps and/or 1 yellow grease collection container.
- An additional \$50.00 per year for each grease interceptor/trap over 3 to a maximum charge of \$200.00 per year.
- Any establishment that generates FOG and does not have a FOG containment permit approved by the Board will be assessed a fee of \$50.00 per year.
- Exemptions to FOG yearly fee:
  - Seasonal mobile food service units
  - Non-profit, clubs, and religious organizations approved by the Board of Health

Approved and adopted on \_\_\_\_\_ by the Foxborough Board of Health.

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Paul Steeves, Chairman

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Paul A. Mullins, Vice Chairman

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Eric S. Arvedon, Clerk