

**ORDINANCE NO. 2008 - 51**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 133, "SEWERS",  
ARTICLE IV, "GREASE INTERCEPTORS", and CHAPTER 82, "FEES",  
OF THE CODE OF WEST WINDSOR TOWNSHIP**

**WHEREAS**, the Township of West Windsor wishes to prevent the interference of the municipal sewer system caused by the discharge of fats, oils and grease from food related businesses; and

**WHEREAS**, doing so requires amending and supplementing Chapter 133, Article IV of the Code of West Windsor Township;

**NOW, THEREFORE, BE IT ORDAINED**, by the West Windsor Township Council, County of Mercer, State of New Jersey, that the Code of West Windsor Township, be amended and supplemented as follows:

**SECTION I.**

Chapter 133, Article IV, entitled "Grease Interceptors", sections 133-22 to 133-27, is repealed in its entirety and shall be replaced as follows.

**SECTION II.**

**ARTICLE IV  
Grease Control**

**§ 133 – 22. Purpose.**

To prevent the obstruction and overflow of the municipal sewer system caused by a blockage or other interference resulting from wastewater discharge containing fats, oils and/or grease from food related businesses into the sewer system.

To abate a nuisance and prevent any health hazards created by the discharge of fats, oils, and/or grease into the sewer system that may threaten or cause injury to public health, safety, and welfare of life, property and/or the environment.

**§ 133 – 23. Definitions.**

A. Definition: As used in this article, the following terms shall have the meanings indicated:

"EGI" or "external grease interceptor", is also known as a "gravity grease interceptor" and means a plumbing appurtenance or appliance that is designed by a licensed professional engineer to be installed in a sanitary drainage system to intercept nonpetroleum fats, oils, and greases (FOG) from a wastewater discharge and is identified by volume, baffle(s), a minimum of two compartments, and gravity separation.

"Existing Establishment" means any non-residential establishment licensed to operate as a Retail Food Establishment or which has obtained a valid sewer connection permit, Health Department plan approval or permits to construct from West Windsor Township prior to the effective date of this article.

"FOG" or "fats, oils and/or 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 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases."

"IGI" or "internal grease interceptor" also known as a "hydromechanical grease interceptor" means a plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept nonpetroleum fats, oils, and grease (FOG) from a wastewater discharge and is identified by flow rate, separation and retention efficiency. The design incorporates air entrainment, hydromechanical separation, interior baffling, and or barriers in combination or separately, and an external flow control, with air intake(vent).

"New Establishment" means any establishment that is not defined as an existing establishment.

"Retail food establishment" is as defined in N.J.A.C. 8:24.

"PDI" means the "Plumbing and Drainage Institute".

#### **§ 133 -24. Enforcement.**

- A. The Business Administrator, Township Engineer, Health Officer, Plumbing Subcode Official, Director of Public Works or other designated and duly authorized employees of West Windsor Township shall administer, implement and enforce the provisions of this Article.
- B. The Township may waive or relax specific requirements set forth by this Article when in its opinion the release of FOG into the sewer system is not likely to occur. The property or business owner shall submit a written request for a waiver from the requirements of this Article.
- C. This article shall be liberally construed to permit the Township of West Windsor to discharge its functions and duties.
- D. The Township Engineer, Health Officer, Director of Public Works, Plumbing Sub-Code Official, or other designated employees, shall exercise his or her discretion with respect to any related matters not directly governed by this Article.

**§ 133 – 25. Best Management Practices for Grease Control in Retail Food Establishments.**

The Township shall establish and maintain “Best Management Practices for Grease Control in Retail Food Establishments”. The Township shall conduct an annual review of this document seeking advice from Township Engineer, Health Officer, Plumbing Subcode Official, and the Director of Public Works. Revisions shall be made as necessary and approved by the Business Administrator. All businesses or property owners affected by this Article shall take all steps necessary to ensure compliance with the Township's Best Management Practices. Copies of the Township's Best Management Practices can be obtained from the Township Health Department.

**§ 133 - 26. Grease Interceptors Required.**

Non-residential properties and/or businesses which may potentially discharge FOG into the West Windsor Township Sewerage System must install, operate and maintain approved grease interceptors or similar technology to achieve compliance with the objectives of this Article.

**§ 133 – 27. Prohibited Acts.**

No person, property owner or business owner shall:

- a. Discharge or cause to be discharged FOG into the Township’s sewer system in a manner that will allow the accumulation of liquid and/or solidified grease that is in a quantity which is capable of being visually observed in the sewer lines or which accumulates within the system in a manner that potentially obstructs or hinders the flow of sewage along its intended path.
- b. Store, dispose of, handle, or discharge FOG in a manner that creates a nuisance or potential nuisance.
- c. Clean grease interceptors, monitoring pits and or sewer lines in a manner that allows solidified or emulsified FOG to be transported into the Township’s sewer system. This includes the improper use of chemicals, hydraulic sewer line jetting without the subsequent reclamation of dislodged FOG, steam cleaning or any other manner that fails to ensure the removal of the FOG from the sewer system prior to release into the downstream municipal sewer system.
- d. Permit the installation of new or the replacement of existing food grinders and/or garbage disposal units within the plumbing system of any Retail Food Establishment that generates FOG.
- e. Dispose of waste cooking oil into the sewer system. All waste cooking oil shall be collected and stored in leak-proof, securely covered receptacles such as barrels or drums for recycling or alternate, approved method of disposal. Written documentation of disposal methods must be maintained onsite for a minimum of three years.

**§ 133 - 28. Discharge of Wastewater containing Fats, Oils and/or Grease.**

- A. Owners of non-residential properties and/or businesses engaged in a food related business shall not discharge or cause to be discharged any wastewater containing fats, oils and/or grease, either directly or indirectly, into the West Windsor Township sewer system without complying with this Article.
- B. No person, property owner or business owner shall discharge, cause to be discharged, or permit to be discharged into the public sewer system, sanitary wastewater with FOG content in excess of 100 ppm.
- C. Non-residential properties which must comply with the above include but are not limited to Retail Food Establishments or other non-residential establishments involved in the production, preparation, manufacture, storage, transportation or handling of food. The Township may also require other non-residential properties that are not engaged in a food-related business to adhere to the requirements of this Article when in its opinion a discharge of FOG is likely to occur.
- D. Sampling and testing shall be conducted in accordance with appropriate methods established in 40 CFR 136.

**§ 133 -29. Grease Control Plan Required.**

All businesses and properties that are required to have a grease interceptor shall have a written Grease Control Plan in accordance with the following requirements. Applications for the Grease Control Plan shall be submitted to the Township for review.

- 1. New Establishments
  - a. All new establishments which require a grease interceptor shall operate under an approved "Grease Control Plan." Approval of the "Grease Control Plan" must be obtained prior to submission of applications for Health Department Plan Review, Construction Permits and Sewer Connection Permits.
  - b. The "Grease Control Plan" shall be signed and sealed by a licensed design professional and shall include at a minimum: a completed West Windsor Township Application for Grease Control Plan, detailed plans, equipment listings, equipment specifications, calculations, supporting documentation and operational directives. The plan shall include all grease related features and components planned for the operation.
  - c. The approved Grease Control Plan shall be maintained onsite and be made immediately available to Township officials upon request. Operational maintenance records shall be retained onsite for 3 years.
  - d. Grease interceptors shall be designed and installed in accordance with the manufacturer's specifications, the current PDI guidance documents, the National Standard Plumbing Code in effect at the date of application for plumbing permits for

the project and West Windsor Township's Best Management Practices for Grease Control for non-residential properties. EGIs shall be designed by a Professional Engineer and shall meet the standards set forth in N.J.A.C. 7:9A-8.1.

- e. Any drain that may potentially receive FOG waste must be directed through an approved grease interceptor. This includes but is not limited to those leading from three-basin sinks, meat/poultry/fish food prep sinks, scullery sinks, pot wash sinks, floor drains and troughs, soup kettles, woks, hood drains, dishwashers, pre-rinse stations and existing food grinders.
- f. Grease recovery units, active grease removal components, or alternate technologies for grease control may be permitted if the applicant can demonstrate and certify that the discharge limitations set forth in this Article can be achieved.
- g. Grease interceptors shall be designed and located to facilitate easy access for cleaning and inspection. Access openings, lids, and inspection ports shall not be obstructed.
- h. A pre-rinse station must be installed immediately adjacent to every automatic dishwasher and shall direct wastewater through a strainer prior to release to the grease interceptor or grease recovery unit.
- i. New establishments which are heavy grease generators shall be required to install an EGI. These include but are not limited to establishments that operate fixtures similar in nature to a fryer, grill, charbroiler, rotisserie, griddle, wok, or whose menu reflects foods with a high grease or fat content and/or who serves a large population such as a school, hospital, food court, conference center, or similar facility. The Township may waive this requirement if the applicant presents sufficient convincing data to demonstrate that the discharge of FOG into the sewers will be prevented through alternative means.
- j. EGIs shall be installed entirely on the owner's property.
- k. Grease interceptors shall be sized in accordance with manufacturer's specifications, the current PDI guidance documents, the National Standard Plumbing Code in effect at the date of application for plumbing permits for the project and West Windsor Township's Best Management Practices for Grease Control for Retail Food Establishments. Design requirements and sizing formulas are intended as a guide in determining grease interceptor sizes and shall be considered the minimum sanitary sewer protection against prohibited FOG discharge. In approving a design for a grease interceptor the Township does not accept liability for the failure of a system to adequately limit concentrations of FOG or to prevent prohibited discharges of FOG. It shall be the responsibility of the owner to ensure at all times that the appropriate level of treatment and maintenance is provided to comply with this ordinance.

1. Non-monolithic tanks functioning as EGIs in which the seam is below the liquid level shall be designed, installed and inspected under the direction of licensed professional engineer. Written, signed and sealed leak testing results shall be submitted prior to operation of the unit.
2. Existing Establishments
  - a. Existing establishments which do not have a Township-approved Grease Control Plan shall develop and implement a written Grease Control Plan in accordance with the requirements of this article. Existing Establishments shall submit a Grease Control Plan to the Township within one hundred eighty (180) days from the effective date of this Article. The Grease Control Plan shall at a minimum include:
    - i. A schematic or plan showing the location of the existing grease interceptor(s) or related equipment including all drains and food-related equipment that are tributaries to the grease interceptor.
    - ii. A listing of all food related equipment onsite that may potentially discharge FOG, including, but not limited to the three-basin sinks, meat/poultry/fish food prep sinks, scullery sinks, pot wash sinks, floor drains and troughs, soup kettles, woks, hood drains, dishwashers, pre-rinse stations, and food /garbage grinders and disposals.
    - iii. Design specifications on the grease interceptor(s) including but not limited to the manufacturer, model number, certification, and grease retention capacity.
    - iv. Maintenance records including contracts for professional servicing, cleaning logs, and reclamation histories.
    - v. Manufacturer details and maintenance logs and contracts on all chemical additives, alarms, pump systems, filters or similar technologies installed in association with grease control at the establishment.
    - vi. Existing establishments may be required to comply with the Grease Control Plan approval process for new establishments as set forth above if there is a change of ownership, the establishment undergoes renovation, or there are documented violations of this ordinance.
3. Multi-use Properties
  - a. The owner of all non-residential properties that have one or more FOG generating establishments must have a Grease Control Plan as set forth in this section. Multi-use properties include but are not limited to shopping centers, malls, retail centers, office parks, and professional centers.

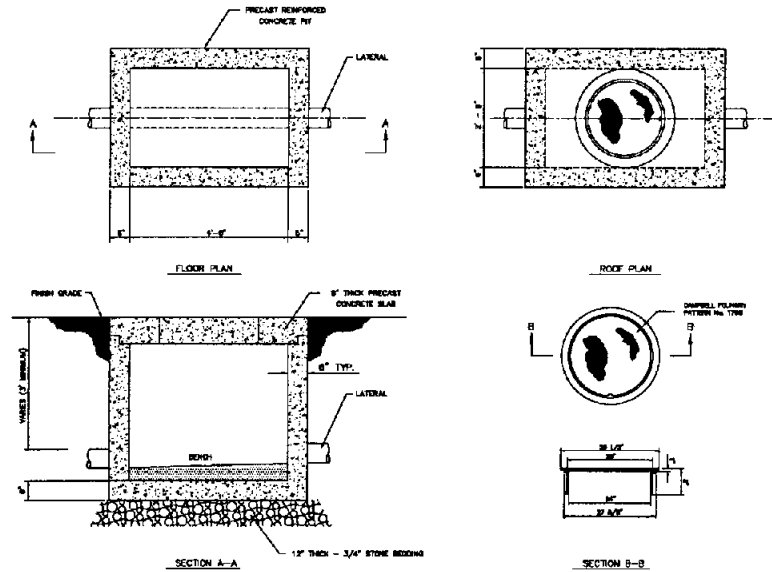
- b. Multi-use properties that have existing FOG generating establishments shall submit a Grease Control Plan to the Township within one hundred eighty (180) days from the effective date of this Article.
- c. The Grease Control Plan for existing and proposed multi-use properties shall as a minimum include the following:
  - i. Documentation signed and sealed by a licensed design professional.
  - ii. A site plan locating sewer laterals, connections, manholes, inspection ports, monitoring pits ports, EGIs, and related elevations; locations housing IGIs, grease retention capacities for EGIs and supporting calculations.
  - iii. Maintenance plans, self-inspection schedules and related documentation for grease control of the property.
  - iv. Written rules and requirements for FOG discharging establishments located on the property.
  - v. Contact names and phone numbers for grease related emergencies.
  - vi. Manufacturer's documentation and maintenance logs for all chemical additives, alarms, pumps, filters or similar technologies installed in association with FOG control on the property.

The Township may waive or relax any of these items for existing properties when in its opinion the release of FOG into the sewer is not likely to occur or where the establishment has demonstrated that the information is not available.

**§ 133 -30. Monitoring Pits.**

- A. A monitoring pit as shown in Figure 1, shown below, shall be provided downstream of the EGI outlet and as close as possible to the public sewer main but prior to connection of an additional discharger.
- B. When IGI(s) are the sole means of grease control for a new establishment, the installation of a monitoring pit may be required by the Township.
- C. New multi-use properties with 2 or more FOG generating establishments shall provide a monitoring pit.
- D. Monitoring pits shall be designed and constructed in accordance with the specifications in Figure 1. Monitoring pits shall be located on private property and downstream of all FOG discharges to be observed and prior to but as close as possible to the municipal sewer connection.

E. Figure 1 entitled “Monitoring Pit Detail” is provided below for clarification.



GENERAL NOTE :  
 1. All work, materials and structures must meet and conform to current NDDOT Specifications

GREASE MONITORING PIT DETAIL

NO SCALE

**§ 133 - 31. Sewer/ Grease Interceptor Additives.**

- A. The use of chemical additives such as enzymes, emulsifiers, or similar chemicals that will liquefy FOG are prohibited from use where they may be discharged into grease waste sewer lines or grease interceptors.
- B. Bioremediation media which has been approved by the Stony Brook Regional Sewerage Authority may be used for grease control. Bioremediation media shall only be used with approved FOG Disposal Systems, ASME A112.14.4. These systems shall be designed and installed under the direction of a Licensed Professional Engineer. In no case will the additives negate the requirement for a grease interceptor. The Township may prohibit the use of specific additives if they may cause adverse effects to any component of the sewer system.



**§ 133 – 32. Maintenance and Operation.**

- A. **Good Repair.** Grease interceptors, monitoring pits, grease recovery units and all associated grease control equipment shall be maintained in good repair and sound operating condition.
  
- B. **Cleaning.** Grease interceptors shall be maintained in an efficient operating condition by the periodic removal of accumulated grease, scum, oil, or other floatable substances and solids deposited in the interceptor. Cleaning intervals shall be frequent enough such that grease does not bypass the interceptor. At no time shall the accumulated grease waste within the interceptor be permitted to exceed 25% of the wetted height of the grease interceptor, as measured from the bottom of the device to the invert of the outlet pipe. IGIs shall be cleaned a minimum of one time per month. EGIs shall be cleaned a minimum of one time every three (3) months. Time-interval dependent cleanings can be waived or adjusted if the facility can demonstrate through documentation that the discharge requirements can be met through an alternative schedule.
  - 1. The cleaning of grease interceptors, sewer lines and related equipment shall be performed in a manner that will not permit the discharge of FOG into the sewer system operated by West Windsor Township.
  
  - 2. Solidified FOG that has accumulated in sewer lines on the owner's property shall be removed in a manner approved by West Windsor Township Department of Public Works as set forth in the Township's Best Management Practices and under no circumstances shall be permitted to be released downstream into the Township's sewer system.
  
- C. **Notification of sewer line cleaning.** Property owners shall notify the Township Department of Public Works prior to jetting or cleaning of the sewer lines external to a structure. Property/business owners shall notify the Township Department of Public Works 48 hours prior to any routine cleaning operation. Emergency cleanings due to blockages shall be reported to the Township Department of Public Works prior to commencing the cleaning operation.
  
- D. **Safety.** Confined space entry associated with the cleaning of sewer lines on private property shall be conducted in a safe manner and comply with OSHA standards Title 29 CFR 1910.146. The Department of Emergency Services shall be notified in accordance with the guidelines set forth in this Article for activities involving confined space entry.
  
- E. **Records.** Written documentation of grease interceptor maintenance and repairs shall be kept onsite for 3 years. A maintenance log shall be kept which includes at a minimum the following information: date and time of cleaning, quantity of grease removed, results of visual interior self inspections, disposition of the waste, and name of individual or company performing the maintenance.
  
- F. **Multi-use Properties.** Owners of multi-use properties that are required to have a Grease Control Plan shall maintain the following documentations: logs with dates of sewer line cleanings, dates and locations of grease-related blockages, name and contact information for

professional services, receipts for professional cleaning services, logs of sewer maintenance efforts, and self-inspection records of FOG generating establishments. All requested documentation shall be made available to the Township upon request.

- G. **Education.** All kitchen employees whose job responsibilities may impact the Grease Control Plan must be trained on the requirements of the facility's plan. A written verification of training shall be retained by the facility during the employee's term of employment with the facility and for three (3) years thereafter.
- H. **Posting.** Drains that are not directed through a grease interceptor and are located in high grease handling areas of commercial kitchens shall be affixed with a nonabsorbent posting stating "No Grease".

### § 133 - 33. Inspections.

- A. Authorized representatives of the Township including but not limited to personnel of the Department of Public Works, Health Department, Plumbing Subcode Official, and Office of the Township Engineer or designated representatives, shall be permitted to enter and inspect all properties that are required to have a Grease Control Plan. This right of investigation and inspection shall include the right to measure, observe, monitor, video (with a sewer camera if deemed necessary by the inspector), photograph, sample, test, record, review and make copies of all pertinent documents.
- B. The owner of the property or establishment shall maintain onsite the tools necessary to gain access to grease interceptors, monitoring pits and inspection ports.

### § 133 - 34. Recovery of costs.

In the event it is determined that a blockage or interference of the Township sewer system is the result of the discharge from any FOG generating property, all costs incurred by the Township will be charged to the owner and/or tenant. Such costs may include but are not limited to, costs of investigating the source of and clearing the blockage/interference; damages to sewer lines and pump stations; laboratory testing; administrative; legal and engineering costs, cleanup of pollution to surrounding soils or water and reimbursement of any penalties imposed by regulatory agencies.

### § 133 -35. Violations.

- A. In locations where the property owner differs from the business owner, both parties shall be jointly and separately responsible for ensuring that prohibited items are not discharged into the sewer system.
- B. Unless otherwise provided herein, penalties for violations of this article shall be as set forth in Chapter 1, General Provisions, Article II, Penalty, 1-3.
- C. If a violation results from a prohibited discharge or grease blockage in the Township's sewer system, the Township may require design improvements in addition to the penalties assessed.

- D. If a prohibited discharge and/or blockage/interference is a repeat violation, the Township may require the installation of an audio visual alarm system equipped with a means of recording and identifying when the storage capacity which allows for efficient operation of the grease interceptor system has been exceeded.
- E. If a prohibited discharge and/or blockage occurs 2 or more times within a 12 month period, the violator will be required, under the direction of a licensed design professional, to investigate the source of the prohibited discharge and implement an improved Grease Control Plan to prevent future prohibited releases. The written improved Grease Control Plan shall be submitted to the Township within 30 calendar days of receipt of the notice of violation for approval. Remedial management plans shall be implemented immediately.
- F. Upon written notification by the Township of mandated design improvements due to an illegal release of FOG into the sewer system or a documented grease blockage or interference, the owner/operator shall install and maintain said improvements within 90 days. Failure to comply within the allotted time period shall be considered a violation of this Article.

**SECTION III.**

Chapter 82, "Fees" section 82-15.A., entitled "Miscellaneous licenses, fees and permits" is amended to include the following.

**§ 82-15.A.**

(36) Grease Control Plan Review Fees.

- (a) New Establishments and Existing Establishments with proposed renovations shall pay a plan review fee based on the square footage of the establishment. Existing establishments submitting an initial Grease Control Plan to the Township shall not be required to submit a fee.

Up to 400 square foot:	\$100.00
401-800 square foot:	\$125.00
Over 800 square foot:	\$150.00

- (b) New multi-use properties shall submit a plan review fee based on the number of proposed Retail Food Establishments discharging into the Township Sanitary Sewer from the property: \$50.00 per establishment. Existing multi-use properties submitting an initial Grease Control Plan shall not be required to submit a fee.

- (c) Alteration to an approved Grease Control Plan: \$100.00

**SECTION IV.**

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

**SECTION V.**

This ordinance shall take effect upon final passage and publication in accordance with the law.

INTRODUCTION: December 8, 2008

PUBLIC HEARING: December 29, 2008

ADOPTION: December 29, 2008

MAYOR'S APPROVAL: December 30, 2008

EFFECTIVE DATE: January 18, 2009